

**TRAINING MANUAL
FOR TRAINERS & ACTIVISTS**

Right TO INFORMATION





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Contents



Chapters	Headings	Page no.
	Acknowledgements	1
	Introduction	2
1	Training Designs	4
2	Perspective Building: Democracy, Social Accountability and Right to Information	14
	Tool 1: Understanding Right to Information in the framework of poverty, development and accountability (Powerpoint presentations)	25
3	What is Right to Information?	30
	Tool 2: Understanding RTI (Powerpoint presentations)—Longer version	32
	Tool 3: Understanding RTI (Powerpoint presentations)—Shorter version	42
	Tool 4: Role and responsibilities of Public Information Officers (Powerpoint presentations)	46
	Tool 5: Games	49
	Tool 6: Quiz	53
4	Skill Building: How to use Right to Information Act?	65
	Tool 7: Group exercise—How to file RTI applications and appeals	68
	Tool 8: Group exercise—Analyzing decisions of Central Information Commission	74
5	Motivating Citizens to use RTI	81
	Tool 9: Case studies discussion	82
	Tool 10: Small group discussion	99
6	Strategies for strengthening use of RTI	100
	Tool 11: Role of Civil Society Organisations (Powerpoint presentations)	101
	Tool 12: Mass campaigns (Descriptive note)	107
	Tool 13: Right to Information Camps (Descriptive note)	108
	Tool 14: Action Research Initiatives (Descriptive note)	111
	Tool 15: Mobilising Women on RTI (Descriptive note)	113
	Tool 16: Engaging Youth on RTI (Descriptive note)	116
Appendixes	Simplified version of RTI Act	118
	Snakes and Ladder Game (Pictures)	139
	Card Game (Pictures)	141





Acknowledgements

The Right to Information Act was enacted in 2005 but large sections of people especially in rural areas are still not aware of the Act. They face difficulty in writing RTI applications and submitting it to appropriate government departments. There remains a huge requirement of 'RTI Guides' or 'RTI Focal Points' who can provide handholding support to common masses. To address this huge supply gap, we need to create a cadre of trainers of who can not only train civic leaders on RTI but also provide handholding support to common people. This training manual provides ready to use designs and tools for cadre of trainers.

This manual is a combined effort of RTI trainers from PRIA and partner organizations across India. They have been conducting training programmes on RTI at grassroots for nearly three years, we used their experiences of trainings and put it in the shape of training manual.

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INTRODUCTION



In the democratic history of India, the Right to Information Act, 2005 is a path breaking legislation. This has recognised the legal right to receive information from all public institutions in the country. Before 2005, access to any information was restricted by the dreaded Official Secrets Act, 1923. Even information related to development works in villages or expenditure incurred on construction of schools or daily wages paid to labourers could be denied to the common citizens under this clause. Secrecy in working of government departments promoted corruption and huge amount of public money was siphoned off to corrupt bureaucrats and politicians. The RTI Act promised an end to poor governance by providing access to all kinds of information (except exempted items) to the common citizens. The basic idea behind the RTI Act's enactment was to create informed citizens and to promote transparency of information. This in turn would check corruption and make governments accountable to the common citizens, thereby strengthening democracy in India.

After three years of the RTI Act's use, one can observe that a significant percentage of Indian population is still not aware of the Act. The key challenge is how to take RTI to people. Mass campaigns can be one of the ways but it requires huge resources and a high level of coordination. Another way could be to create a cadre of trainers and activists in every corner of the country who would train civil society organisations, community leaders, students and also common people. Each person at his level would create a group of trainers who would take the message of RTI among the people.

Easiest method of conducting RTI training is through lecture-oriented method where trainers explain the provisions of RTI Act but verbal briefings of law has its limitations and trainees have difficulty in grasping the Act. So participative methodology should be used in RTI trainings, so that trainees learn in experiential situation. Moreover, it is a proven fact that adults learn better by doing. So we have made an attempt to prepare training manual entirely based on participatory methodologies. The training manual has used tools like case studies discussion, small groups discussions, lecture cum discussion, games, group exercises etc. to explain the provisions of RTI Act. It has been planned in such a way that trainers can use designs and tools as per their requirement to conduct training programme on RTI. In addition, non-availability of proper logistics in rural areas has been considered while designing the manual. We have taken care to provide tools like case studies discussions, small group discussions, presentations etc. which can be used without black boards, projectors or laptops. We have made an effort to make a manual, which can be used for training variety of stakeholders in both rural and urban settings.

The manual is divided into six chapters: Chapter 1: 'Training Designs' provides five types of training designs, which can be used by different stakeholders as per the need. The stakeholders for whom training designs have been made are civil society organisations, citizen leaders, elected representatives, university students and government officers. The designs described here should not be treated as rigid; rather trainers should be willing to change as per the need of learners.

Chapter 2: 'Perspective building: Democracy, Social Accountability and Right to Information' which explains the context of poverty, under development, poor governance and non-accountability. It describes the rationale for enactment of the RTI



Act in India and also provides a Powerpoint presentation with which a trainer can explain the context to the learners.

Chapter 3: 'What is Right to Information' describes in detail the provisions of the Act and different tools like Powerpoint presentations, games and quizzes for this purpose.

Chapter 4: 'Skill building: How to use Right to Information Act?' has the objective of building skills of learners in filing applications and appeals. The two group exercises explain procedures, rules and correct interpretations of provisions of the RTI Act.

Chapter 5: 'Motivating Citizens to use RTI' tackles the scepticism of the common citizens—'corrupt system is not going to change in India' and 'common man will always be at these receiving end'. Various case studies and films where the common citizens have used RTI to solve problems related to poor governance and service delivery have been used as examples to demonstrate how the RTI works. Such problems can be tackled by accessing information and using the data in making citizen report cards, conducting social audits and media exposes.

Chapter 6: 'Strategies for strengthening the use of RTI' discusses the issue of 'making an action plan on RTI'. Real examples of mass campaigns, right to information camps, action research initiatives and engaging youth on RTI have been used to suggest various action plans on RTI. The purpose is to demonstrate that even with limited financial resources, action can begin and change can be expected.

Appendixes have simplified versions of the RTI Act, which can provide aid to trainers in conducting capacity building programmes on RTI. It also contains tool kits like games which can be used by photocopying it from the manual.

The trainer has freedom to follow any other method as long as the objectives are targeted and achieved. It is important to remember that a trainer is a facilitator not a preacher; participants carry much responsibility to analyse and determine each scenario and their own opinions. The lecture methods also require visual aids to encourage participants to engage in the issue being raised. This manual is full of verbal and visual stimulant processes. The trainer will need to develop his/her own visual and discussion aids, but is free to use of any of the think-points in the manual to stimulate dialogue and interaction.

We hope that we have been successful in creating a cadre of trainers on RTI who would create awareness on RTI across the country.

Vikas Jha
PRIA, New Delhi



The most critical and neglected aspect of training in the development sector is its designing. A systematic and comprehensive designing effort is necessary to conduct and facilitate good training. It is important to realise that training design is one of the most important blueprint for conducting any training programme which contributes significantly towards learning environment. The design in fact reflects the philosophy and strategy of training. The design needs to be congruent with the specific objectives of training, learning needs of learners and learning styles of group of learners. Some key considerations must be kept in mind while making training design—value and respect for the learner's experience, creating conducive conditions for both individual and group learning, encouraging discovery of new knowledge and enhancing learner's self-esteem and empowering them (Participatory Training 2002 : 47) .

Making a training design is a systematic process, which comprises of five steps:

1. **Assessing learning needs**
2. **Defining learning objectives**
3. **Identifying and sequencing contents**
4. **Selecting appropriate methods**
5. **Setting a time frame**


Let us discuss these steps one by one

1. **Assessing learning needs**

The first step of designing a training programme is to find out different learning needs of a group of learners. Learning needs are a set of tasks that a person or group of persons need to learn in order to perform their role effectively and meet specific requirements of the work she/he is involved in. The question as to why training should be conducted, must be asked by the trainer. In order to identify training needs, the trainer uses a number of methods (Ibid: 49) :

involved in. The question as to why training should be conducted, must be asked by the trainer. In order to identify training needs, the trainer uses a number of methods (Ibid: 49) :

- ♦ The nature and requirements of work of trainees can be an important source of information. This exercise can be done for individual learners, entire group of learners and for the organisation as a whole.
- ♦ Documents such as annual reports, progress reports and performance reviews can also become an important source of information.

- 
- ♦ Reports of previous trainings conducted for the same learners can also become an important source of information.
 - ♦ Learners can also be an important source of information. The learners can be directly asked what they want to learn. The methods of gathering such information are interviews, questionnaires and pre-determined tests.

2. Defining learning objectives

All learning needs do not get fulfilled through a single training programme. Training is a systematic structured intervention to accelerate learning. Learning takes place on an ongoing basis while training is an occasional intervention to stimulate the process of learning. Therefore, all learning needs may not be met through training. Hence, those learning needs that are structured, systematic and planned should be selected to be addressed in the programme. For this purpose, the focus of learning becomes important. The focus of learning can be classified in three ways (Ibid: 51):

- ♦ Cognitive learning: It means learning of knowledge, that is, gathering information, concepts and ideas.
- ♦ Emotional appreciation: Here awareness about emotional appreciation of issues is done, the emphasis is on motivation, values, emotions, etc.
- ♦ Skill building: Here focus is on building skills in specific areas.

This framework of learning helps us to separate and clearly specify the objective of a particular training programme. This is important because each type of training focus becomes necessary. There is always some component of awareness generation and some component of skill building. The actual mix of these components varies from one particular situation to another.

Once the objectives of a training programme have been decided, the next task is to identify contents which will help in achieving the objectives. For this purpose, we need to look at the following points (Ibid: 52):

- ♦ Who our learners are?
- ♦ What is their level?
- ♦ What is their starting point?
- ♦ What do they already know?
- ♦ How much detailed information can be given?
- ♦ Which combination of learning foci needs to be emphasised with that group of learners?

3. Identifying and sequencing contents

For developing the contents, experts on the subject may also be consulted. Having identified different content areas, the sequence or flow of different contents needs to be specified. The important thing in sequence is to determine how the entire training programme will flow from beginning to the end and how one content area follows another.

There are several important considerations when determining a useful sequence. Logically sequenced contents take learners step-by-step from one pace of knowledge and learning to another. Sequencing of contents can be done in the following ways:

First method: Content related to individuals is dealt with followed by content related to groups, then one moves on to community, and finally to society. It is a micro to macro sequencing of contents.

Second method: A sequence can also move from society to community to group followed by self. This is called macro to micro sequencing.

Third method: It is a combination of two sequences mentioned above, where one starts with macro, comes to micro and then again moves to the macro level. It means that a sequence flows from society to the community to group to self and back to group to community to society.

4. Selecting appropriate methods

Selection of training methods depends on the content of training and focus of learning (Ibid: 55).

- ♦ If the focus of learning is knowledge, concepts and information,
- ♦ If the focus of learning is knowledge, concepts and information, then it can be best provided by the lecture method. The other method of acquiring new knowledge could be demonstrations, field visits, etc. For literate participants, reading materials can also be provided. Other teaching aids like flip charts, posters, transparencies, Powerpoint presentations may also be used. The purpose of lecture either by one person or a panel of persons is to provide additional information, new knowledge and concepts to a group of learners. When the focus of learning is awareness, the existing experience of learners can be utilised. Methods appropriate for awareness are called structured experiences because they make structured use of either the past or present experiences of the learner or others. Some methods like small group discussions, exercises and simulations, role play and case study method can be used to build awareness of learners
- ♦ The third focus of learning is learning of skills as no skill is learnt without practice. Apprenticeship is a long-standing method of learning skills. Be it playing a sitar or repairing scooters, in both cases the model of practice is apprenticeship. During the training programme, methods should be such that allow practicing of skills by the learners.

The choice of learning method is a crucial determinant of an effective training programme.

After considering learning needs and resources of the organisation, learning materials and time schedules are prepared. The **time frame** should be decided after carefully analysing the learning needs of participants. It is important to note here that sufficient time must be provided for a question and answer session in lecture-oriented methods and for discussions in group exercises. Trainers could do well by limiting the number of tools to two in a one-day training programme and four in a two-day duration training programmes. Using too many tools in a short time may confuse the participants and they may not benefit from the training.

We have taken all these factors into account, for making training designs on RTI. The training designs mentioned below have been made after conducting a number of capacity building programmes for different stakeholders in 12 states of India from 2005 to 2008. All the methods mentioned in the training designs have been tested in the programmes and necessary care has been taken to mention the merits and demerits of each method in the following chapters. Let us discuss the training designs one by one, and necessary care has been taken to mention the merits and demerits of each method in the following chapters. Let us discuss the training designs one by one.

Once the objectives of a training programme have been decided, the next task is to identify contents which will help in achieving the objectives. For this purpose, we need to look at the following points (Ibid: 52):

- ✦ Who our learners are?
- ✦ What is their starting point?
- ✦ How much detailed information can be given?
- ✦ What is their level?
- ✦ What do they already know?
- ✦ Which combination of learning foci needs to be emphasised with that group of learners?



TRAINING DESIGNS - 1

Capacity Building of Civil Society Organizations on Right to Information

Purpose of training: Train CSOs on different aspects of RTI in order to enable them to conduct training programmes for citizen leaders, community-based organisations, NGOs, elected representatives of Panchayati Raj Institutions (PRIs) and urban local bodies (ULBs) and university students.

Participants Profile: Representatives of CSOs are expected to be present in the training programme. Most of the participants should have the experience of working in the development sector for one to five years.

Time: Two Days

Training Methods: Lecture cum discussion, Group exercises, Case studies.

Learning Needs

- ♦ *To develop an understanding of the provisions of the RTI Act 2005, so that learners can conduct training programmes on RTI.*
- ♦ *To orient the learners on preparation of training modules on RTI for civil society organisations, elected representatives of PRIs and ULBs, university students and citizen leaders, so that the training on RTI is conducted in a systematic manner in various locations.*
- ♦ *To develop an understanding of self-disclosure (Section 4 of RTI Act), so that learners can orient elected representatives of Panchayati Raj Institutions and urban local bodies on the self-disclosure provisions and actually prepare a manual on self-disclosure in some PRIs and ULBs.*

DAY ONE		
SCHEDULE	SESSION DESCRIPTION	Methods
10.00 - 10.30 AM	Introduction and objectives	
10.30 - 11.15 AM	Right to Information--History and current need	Film
11.15 - 11.30 AM	Tea	
11.30 - 1.00 PM	Provisions of Right to Information Act 2005 and State rules discussion	Lecture cum
1.00 - 2.00 PM	Lunch	
2:00 - 3.00 PM	Question and answer session	
3.00 - 3.15 PM	Tea	
3.45 - 6.00 PM	Procedures for filing applications, appeals and complaints under RTI Act 2005	Group Exercise

DAY TWO

SCHEDULE	SESSION DESCRIPTION	Methods
9.30 – 10.30 AM	Recap	Group Exercise
10.30 – 1.00 PM	RTI is useful for common citizens	Case Studies/ Discussion/ Films
1.00 – 2.00 PM	Tea	
2.00 - 3.30 PM	Problems faced by citizens in accessing information	Case Studies/ Discussion/ Films
3.30 – 5.00 PM	Role of Civil Society Organisations	Powerpoint presentation
5.00 – 6.00 PM	Evaluation and Closing	

TRAINING DESIGNS - 2

Orientation on Right to Information - Public Information Officers and Assistant Public Information Officers

Purpose of Training: Develop an understanding of Public Information Officers and Assistant Public Information Officers on the Right to Information Act 2005 and to also sensitise them to the problems faced by those citizens who want to access information under the Act.

Participants Profile: About 40 Public Information Officers and Assistant Public Information Officers of different public authorities in the state.

Time: One Days

Training Methods: Lecture cum discussion and case studies

Learning Needs

- ♦ *To orient PIOs and APIOs on the provisions of the RTI Act 2005, so that learners can perform their roles efficiently.*
- ♦ *To sensitise PIOs and APIOs to the problems faced by citizens who want to access information, so that they can be cooperative in providing all kinds of necessary help to the citizens.*

- *To develop an understanding of self-disclosure (Section 4 of the RTI Act), so that learners can orient other officials of the public authority. It will help the officials to prepare the manual of self-disclosure of their public authorities.*

DAY ONE		
SCHEDULE	SESSION DESCRIPTION	Methods
10.00 – 10.30 AM	Inauguration, introduction and expectations	
10.30 – 11.15 AM	Good governance and RTI Case	Powerpoint presentation
11.15 – 1.00 PM	Provisions of RTI Act and State rules	Powerpoint presentation (Lecture cum discussion)
1.00 – 2.00 PM	Lunch	
2.00 – 3.00 PM	Getting acquainted with the perspective of citizens on RTI	Case studies /Discussion
3.00 – 3.15 PM	Tea	
3.15 – 5.00 PM	Role and responsibilities of PIOs and APIOs	Powerpoint presentation (Lecture cum discussion)
5.00 – 5.30 PM	Concluding session	

TRAINING DESIGNS - 3

Capacity Building of Citizen Leaders / Self Help Group Members on Right to Information

Purpose of Training: Develop an understanding of Citizen Leaders on Right to Information and motivate them to become messengers and promoters of Right to Information. These citizen leaders shall also take the responsibility of helping the citizens in filing applications under the RTI Act.

Participants Profile: About 20 citizen leaders from different villages in the Gram Panchayat including both men and women.

Time: One Day

Training Methods: Games, Case studies, Group exercises

To build the capacity of Citizen Leaders regarding the provisions of RTI Act 2005, so that they can carry out awareness generation drives on RTI and help citizens in filing applications under RTI. At the same time, they shall also take on the responsibility of promoting self-disclosure of the public authorities at Gram Panchayat and Block level.

DAY ONE		
SCHEDULE	SESSION DESCRIPTION	Methods
10.00 - 10.30 AM	Introduction and expectations	
10.30 - 11.30 AM	Right to Information (Provisions of Right to Information Act and State rules)	Card game/ Snakes and Ladders game
11.00 - 12.30 AM	Procedures for filing applications, appeals and complaints under RTI Act 2005	Group exercise
12.30 - 1.00 PM	Question and answer session	
1.00 - 2.00 PM	Lunch	
2:00 - 3.00 PM	RTI is useful for the common citizens	Case studies/ Discussion
3.00 - 3.15 PM	Tea	
3.15 - 4.15 PM	Problems faced by citizens in accessing information	Case studies/ Discussion
4.15 - 5.00 PM	Using information for solving problems related to service delivery	Film
5.00 - 5.30 PM	Future strategy	
5.30- 6		

TRAINING DESIGNS - 4

Orientation of Elected Representatives on Right to Information

Purpose of Training: Orient elected representatives (GP, PS and ZP level) on Right to Information, so that they create necessary facilities in the public authorities for providing information to the citizens and enable the public authorities to do self-disclosure of its activities.

Participants Profile: About 20 elected representatives, both men and women of Gram Panchayat from a district.

Time: Two and Half Hours

Training Methods: Games, Group exercise and Lecture cum discussion.

Learning Needs

To develop an understanding of elected representatives on the provisions of the RTI Act 2005, self-disclosure by public authorities and practical problems faced by citizens in accessing information. Understanding of these critical issues related to Right to Information by the elected representatives can convince them of the necessity of taking steps for effective implementation of Right to Information. Elected representatives are the members of a number of public authorities', for example, cooperatives, village education committees or tribunals. Hence their orientation can be a critical intervention on RTI.

DAY ONE		
SCHEDULE	SESSION DESCRIPTION	Methods
5.00- 5.45 PM	Objectives of programme	
5.15- 5.45 PM	Right to Information	Card game/Snakes and Ladders game
5.45- 6.30 PM	Role of Public Authorities and PIOs under RTI Act 2005	Powerpoint presentation (Lecture cum discussion)
6.00- 6.45 PM	RTI is useful for the common citizens	Case studies/ Discussion
6.45- 7.30 PM	Problems faced by citizens in accessing information	Case studies/ Discussion

TRAINING DESIGNS - 5

Orientation on Right to Information for University Students

Purpose of Training: Develop an understanding of students on Right to Information and motivate them to become messengers and promoters of Right to Information.

Participants Profile: About 100 students from different departments of the university.

Time: Half Day

Training Methods: Lecture cum discussion.

Learning Needs

To orient university students regarding the provisions of the RTI Act 2005, so that they can carry out awareness generation drives on RTI and help citizens in filing applications under RTI.

DAY ONE		
SCHEDULE	SESSION DESCRIPTION	Methods
11.00 - 11.30 AM	Inauguration and introduction	
11.30 - 12.00 PM	Background of RTI	Films
12.00 - 12.30 PM	Role of youth and RTI (How RTI would be useful to the students and how they can take RTI to the citizens)	Discussion
12.30 - 1.00 PM	Provisions of RTI Act and State rules	Powerpoint presentation (Lecture cum discussion)
1.00 - 1.30 PM	Procedures for filing applications, appeals and complaints under RTI Act 2005	Group exercise
1.30 - 1.45 PM	Question and answer session	
1.45 - 2.25PM	Enhancing learning on RTI	Quiz on RTI/ slogan writing competition / poster writing competition
2.25 - 2.30 PM	Concluding session	

The designs and methods for civil society organisations, public information officers, citizen's leaders, elected representatives and university students are suggestive and can be modified as per the needs of learners and resources of the organisations.

DEMOCRACY, SOCIAL ACCOUNTABILITY AND RIGHT TO INFORMATION

Millions of dollars in welfare schemes are wasted in developing and under developed countries, as governance institutions are either weak or unaccountable. As a result, poor socio-economic conditions of citizens seem to be a never ending phenomenon in significant part of the globe. This makes examination of the link between governance and socio-economic conditions very important. Several studies which have examined this link have quite clearly established that good governance associated with higher GNP per capita, higher adult literacy, lower infant mortality and bad governance is largely associated with lack of accountability and transparency, poverty, crime and corruption. Almost three-quarters of the countries in the corruption perception index (CPI) score below five (including all low-income countries and all but two African states) indicating that there is a strong correlation between corruption and poverty. It leaves no doubt that corruption hurts the poor, diverts public services from those who need them most and undermines democratic institutions by creating an erroneous perception that these institutions only benefit well-off sections of society. Thus there is no doubt that corruption weakens democracy. Before we move on to discuss the impact of corruption on the lives of citizens, it is important to know the definition and forms of corruption.


Some facts about corruption in India

- ♦ *India is 85th in the list of least corrupt countries in the world. (Transparency International Survey on Corruption, 2008)*
- ♦ *India alone accounts for nearly 1500 billions worth of deposits in Swiss Bank (Swiss Banking Association's report on Black Money—Hindu, October 8, 2008, Salil Shetty: "Robbing the poor to pay rich")*
- ♦ *UNDP estimates that India's GDP growth is cut by a quarter of what is possible because of corruption (Hindu, October 5, 2008, Kalpana Sharma: "Corruption's real victims")*

WHAT IS CORRUPTION?

Corruption can be defined as the exercise of official powers against public interest or abuse of public office for private gains (Shah 2007: 234). Corruption typically takes four forms (Shah 2007: 235-36):

1. **Petty, administrative or bureaucratic corruption:** Corrupt acts such as bribes and kickbacks, diverting public funds, awarding favours in return for personal consideration fall in this category. For example, bribes which citizens have to pay for public distribution cards, water connections, and employment under employment guarantee schemes.

- 
2. **Grand corruption:** Theft or misuse of vast amount of public resources by state officials or politicians constitutes grand corruption. For example, the fodder scam in Bihar, Bofors scam, etc.
 3. **State or regulatory capture or influence peddling:** State capture is collusion by private actors with public officials or politicians for private benefit.
 4. **Patronage and clientelism:** Corruption occurs when officials use their position to provide assistance to clients to their ethnic category, geographical or cultural origin. For example, favouring their caste men in getting employment, getting entitlements, etc.

DOES CORRUPTION HURT POOR?

All forms of corruption hurts the poor as can be seen from the examples given below:

- Corruption hurts the poor as it diverts public services like education, health, employment, pensions, food, and homes from those who need them the most. It makes these government-provided services expensive for citizens as they have to buy these services from government departments. Payment of such high prices for basic services pushes them into the hands of moneylenders, pushing them into poverty further (Dreze and Sen 2002 : 365-368).
- Corruption undermines democratic institutions by creating a wrong perception that these institutions only benefit well-off sections of society as they can buy these services from government departments. Citizens feel that democratic institutions cannot perform their role adequately. They start believing that political leaders, officers, and judges can be mobilised for private gains by bribes. Such perception among citizens can seriously harm democratic functioning in the country as they then stop participating in electoral and decision-making processes. (Ibid)

Food for poor is swindled off?

Nearly 20 million Below Poverty Line Cards in India are bogus (National Council for Applied Economic Research, 2007). It means that large number of benefits like cheap food grains in the Public Distribution System is going to the non-poor. The Planning Commission Evaluation of Public Distribution System, 2007 estimates that the final transfer to the poor is 27 per cent of the total amount.

- Corruption increases expenses of exchange and production which means bribes need to be paid for making investment and starting business. It drives away people from starting business, thereby seriously affecting production activities in the country. (Ibid : 364)

Corruption among government officials is rampant in India. Common citizens in India pay bribes amounting to \$4 billion a year according to a recent study published by the Delhi-based Centre for Media Studies. About 62 per cent of citizens polled in "India Corruption Study," said they had first-hand experience of paying a bribe or "using a contact" to get a job done in a public office. According to the survey, police top the corruption index, followed by the lower

public office. According to the survey, police top the corruption index, followed by the lower court judiciary and land administration. It said that most Indians accept bribes as "a way of life."

Source : As quoted in www.cms.org, Sunday, July 2, 2006, Doha Press Association.


DRIVERS OF CORRUPTION

1. **Institutions of participation and accountability are ineffective:** Societies in which the level of public sector corruption is relatively low usually have strong institutions of participation and accountability as they act as check against abuses of power by public officials. These institutions are either created by the state (for example, electoral processes, citizen's charter, Bill of Rights, auditor general, judiciary and legislature) or arise out of formal state structures (citizens's monitoring, news media, organised civic groups). Experience from a number of societies show that strong institutions of participation and accountability inside or outside the state structure can act as watchdog against corruption. (Shah 2007: 242)
2. **Commitment of national leaders in combating corruption is weak:** Widespread corruption endures in the public sector when the national authorities are either unwilling or unable to tackle the issue forcefully. Societies where corruption is deeply embedded quite clearly indicate that corruption affects the highest level of government and many senior office holders are not motivated to work against the system (Shah 2007: 243).
- **Rule of law is weakly implemented:** Corruption thrives where the law applies to some citizens only and not others. Enforcement of the law is used as a device for furthering private interests instead of protecting public ones. A common symbol of the breakdown of rule of law in highly corrupt countries is police acting as lawbreakers rather than law enforcers. The independence of judiciary—pillar of rule of law—is usually deeply compromised in highly corrupt countries. (Shah 2007: 242)

WHAT IS GOOD GOVERNANCE?

Corruption can be checked if citizens, state, civil society and private sector can work in an integrated way to achieve good governance. Good governance has been defined differently at different places but there is some consensus on its core characteristics. (UNDP Governance for Sustainable Human Development 1994) identified nine core characteristics.

1. **Participation:** All sections of the society should have a voice in decision-making. Such broad participation is built on freedom of association and capacities to participate constructively.
2. **Rule of Law:** Legal framework should be equal to all and enforced impartially.
3. **Transparency:** Policies, process of decision-making, official orders should be open to all and easily accessible to those concerned with them. Transparency



can be defined as sharing information and acting in an open manner (letting people know what government officials are doing). The methods of sharing information can be display boards, self-disclosures, websites, newspaper advertisements and announcements.

4. **Responsiveness:** Government institutions should serve all stakeholders specially poor and marginalized sections of society.
5. **Consensus Orientation:** there should be mediation between different interests in order to reach a broad consensus on what is in best interest of people. There should be informed discussion on policies, procedures and implementation of government programmes.
6. **Strategic vision:** Leaders and public should have a long term perspective on good governance and human development with a road map of what needs to be done for such development.
7. **Equity:** All men and women should have opportunities to improve or maintain their well-being.
8. **Effectiveness and efficiency:** Institutions and processes produce result making best utilization of time and resources.
9. **Accountability:** State, civil society organizations and private sector are accountable to public as well as to individual stakeholders.

However, simple terms, Good Governance means 'Collective and transparent decision making for common public good.' The key challenge obviously is how to bring about good governance. Before searching for solutions, let us understand the term accountability as a model of accountability namely social accountability as been offered as a solution for ending corruption and ensuring good governance.

WHAT IS ACCOUNTABILITY?

When one institution (office A) is obliged to give account of its activities to another institution (office B), then office A is accountable to office B. Accountability describes a relationship in which A is accountable to B. A is obliged to explain and justify its action to B, if it fails to do so, A can be penalised by B (Shah 2007: 137).

The word accountability has two key components (Shah 2007: 138):

1. **Answerability:** Answerability means having to provide information about one's action and explanations for correctness.
2. **Enforcement:** Enforcement means having to suffer penalties imposed for wrong doings.

Accountability can be seen in framework of two categories:

1. **Vertical accountability:** Those mechanisms which link citizens directly to the government are referred to as vertical accountability. Elections are a formal channel of vertical accountability. Meanwhile, informal channels include lobbying with the government by citizens associations, pressure exerted by investigative journalism, social audit, citizen's report card, citizen's charter,

participatory planning and budgeting, participatory budget analysis, and participatory performance monitoring (Shah 2007: 140)

2. **Horizontal Accountability:** These channels of accountability involve public institutions responsible for keeping a watch on government agencies like ombudsman, audit department, anti-corruption bureaus, etc. Horizontal accountability occurs when one state actor has authority to demand explanations or impose sanctions on others. (Shah 2007:140)

Our concern here is to find out how vertical accountability can be made effective by use of Right to Information.

SEARCHING FOR SOLUTIONS


1. **Building rule of law and strengthening accountability:** 'Rule of law is the same for everybody' is an oft repeated saying in India, but not enough has been done to prosecute politicians and bureaucrats as a result of which they have always escaped in spite of engaging in corrupt practices. The need is to create watchdog agencies to detect and prosecute corrupt practices in public institutions. Encouraging strong action against corrupt acts can be an effective preventive measure. (Shah 2007: 244)
2. **Decentralization and participation:** Transfer of power from government agencies to elected members, making the decision making closer to citizens, simplifying administrative procedures, reducing discretion for government tasks—such steps of decentralisation can check corruption. Creating institutions for participation of citizens in decision making at all level of governance can also make the government institutions transparent and accountable. (Shah 2007: 244-50)
3. **Strengthening social accountability mechanisms:** “Developing and reinforcing a countervailing power can give greater voice to those who have stake in efficient provisions of public services. Asymmetric power in one domain can be checked by different configurations of forces in another domain.” (Dreze and Sen 2002 : 371) Social audit, citizens' report card, and citizen's charter can also be a effective tool for checking corruption at the grass roots.

4. **Meaning of social**
understand here the meaning of social accountability. It is defined it a s the “ongoing and collective effort to hold public officials and service providers to account for the provision of public goods which are existing state obligations, such a s primary health care, education, sanitation and security. One of the advantages of social accountability is that it can be catalysed on demand as and when the situation requires by collective agents such as

accountability: It is important to

WHAT IS SOCIAL ACCOUNTABILITY?

Ongoing and collective effort to hold public officials and service providers accountable for provision of public goods such as primary health care, education, sanitation and security.



catalsed on demand as and when the situation requires by collective agents such as neighbourhood associations, social movements, advocacy NGO and media organisations. Thus, social accountability provides a much sharper or more targeted form of accountability focused on a particular set of issues and a specific set of (elected or non-elected) actors. (IDS Bulletin 2008:3). Social accountability can be exercised through various mechanisms like public hearings, citizens' report card, media and mass-based campaigns. Such mechanisms should be based on authentic information as it involves examination of functions—procedural and output and of governances institutions otherwise they turn into forums of mudslinging, allegations or false charges. The RTI Act can be a very important tool for these mechanisms as it facilitates in the collection of authentic information from governance institutions.

Social Accountability—key features

* Can be conducted on demand and situation requirements.

*Collective agents such as neighbourhood associations, social movements, advocacy NGOs and media organisations can conduct social audit.

*Methods for conducting social audits are public hearings, citizens' report card, media and mass-based campaigns.

5. ***These tools can be authentic if it based on accurate information.*** Sometimes it is very difficult to get information from government institutions. In such cases the Right to Information should be used for getting information. Similarly, the individual and collective use of RTI has been able to expose malpractices in governance and ensure entitlements to the poor. The media has also been able to use RTI to expose government wrongdoings. Attempts should also be made to mobilize citizens in anti-corruption campaigns. Civil society organisations can find evidences of corruption in public institutions and use this to start protests and urge the media to pursue these cases and publicise them. They should also use the Internet to spread information, create public opinion and press for parliamentary enquiries.
6. ***Dissemination of information:*** “Letting the sunshine on government operations is a powerful antidote to corruption.” (Shah 2007: 250) It means that public institutions are transparent in its functioning and one of the ways of doing it can be effective implementation of RTI law in the country. Voluntary disclosure of information and providing accurate information on demand can certainly lead to transparency and accountability in India. In addition, citizens should always keep pressure on government to release timely, complete and accurate information about government functioning, how the government manages programmes and spends the money and what these programmes deliver in services to people. These steps can prove to be key ingredients of accountability, which may check corruption.

Of all the methods for transforming governance institutions mentioned above, one reform which has caught the imagination of citizens is the Right to Information. Freedom of information and in particular the right of access to information has been a central agenda in the democratic accountability for sometime now. Nearly 60 countries have taken steps to implement it by legally recognizing it through statute law. These countries

have joined the list of some of those countries, which have a long tradition of Right to Information, notably Sweden, Finland, the Netherlands, Australia, Canada and the United States of America. India also followed the footsteps of other countries and enacted the Right to Information Act in 2005. This Act is considered to be quite a radical law as it penalises government officers for denying access to information. It also promises to be a tool for promoting transparency and accountability in the working of governance institutions.

HISTORY OF RIGHT TO INFORMATION MOVEMENT IN INDIA

The movement for the right to information was started in early 1990s by Mazdoor Kisan Shakti Sangathan (which literally means 'organisation for the empowerment of workers and peasants') in a remote village called Devdungri (Rajsamand district, Rajasthan). It was a movement to expose corruption in the famine relief work by demanding information related to copies of bills, vouchers and muster rolls for workers recorded in government files. Following a period of struggle, MKSS succeeded in acquiring photocopies of the relevant documents in which the siphoning of funds was clearly evident. The successful experiments of exposing corruption through access to information was a good learning experience for civil society and led to the demand of the enactment of RTI law in Rajasthan. Government of Rajasthan yielded to the pressure of the movement and enacted the law in 2000.

The success of MKSS's struggle led to the genesis of a broader discourse on the right to information in India and RTI laws were enacted in some states of India. The demand for national law started under the leadership of national campaign on People's Right to Information (NCPRI). In 1996, the Press Council of India headed by Justice P B Sawant presented a draft model law on Right to Information to the Government of India. A working group (Shourie Committee) under the chairmanship of Mr. H D Shourie was set up by the Central Government and given the mandate to prepare a draft legislation on the freedom of information. The Shourie Committee's report and draft law were published in 1997. Eventually, the Shourie Committee draft law was reworked into the Freedom of Information Bill (FOI) 2000, which was passed in the Parliament in 2002 but it was not notified. However, civil society raised several objections to the FOI bill and suggested amendments to the National Advisory Council. As a result of the long-drawn struggle of the civil society the RTI was enacted in 2005 in India. But the key question is, "Can RTI be an effective tool for ensuring accountability in governance institutions"? It makes analysis of the relationship between accountability and RTI pertinent here.

RIGHT TO INFORMATION: MAIN FEATURES

The Right to Information Act, which came into force on October 12, 2005, is one of the most significant legislations enacted by the Parliament of India. The Right to Information Act 2005 (RTI Act) recognizes that in a democracy like India, all information held by the government ultimately belongs to the people. Making information available to citizens is simply a part of normal government functioning because the public has a right to know what public officials do with their money. The Act seeks to establish that transparency is the norm and secrecy is an exception in the working of governance institutions.



FACILITIES FOR ACCESSING INFORMATION

The Right to Information Act gives the right to all the Indian citizens to access information from public institutions. The application procedure for seeking information is very simple and citizen-friendly. The application can be written in English or Hindi or the official language of the state. Applications should be accompanied by necessary application fees as prescribed under state rules. The application must be submitted to the Public Information Officer (PIO) in the public institution from where the information is sought. Section 4 of the RTI Act mandates every public institution to voluntarily disclose all their activities in a manual, so that citizens can get information about important functions of public institutions without filing applications.

ROLE AND RESPONSIBILITIES OF PUBLIC INFORMATION OFFICERS

PIOs are the designated officers in all administrative units or offices of public institutions who have been given the responsibility of providing information to persons requesting information under this Act. The PIO must provide information to the citizens within 30 days of receipt of the application.

APPEAL PROCESS

In the event of denial of information, the RTI Act sets in place the process of First and Second Appeal. Section 19 of the RTI Act provides two steps of appeals against the decision of PIOs by an applicant. An applicant, who does not receive the information within 30 days or is aggrieved by the decision of the PIOs, can file an appeal to the First Appellate Authority who is usually a designated senior officer of a government department (public institution where the request for application had been submitted). If the applicant is not satisfied with the decision of First Appellate Authority, then he can file a Second Appeal to the Central Information Commission (CIC) or the State Information Commission (SIC) as the case may be.

POWERS AND FUNCTIONS OF INFORMATION COMMISSIONS

Central/State Information Commission is the apex appellate authority at the Centre/State level for hearing appeals or complaints from citizens who have not been able to access information due to some reasons. The power of enforcement and compliance of Right to Information Act has been given to Central Information Commission or State Information Commission. The Central Information Commission/State Information Commission can summon and enforce attendance of persons or documents, discovery and inspection of documents, etc. While hearing the appeal if the CIC/SIC finds that the PIO has deliberately denied information or provided incorrect information, then it can impose a penalty of a maximum of Rs. 25, 000 and can also recommend disciplinary action against the PIO.

Role of CENTRAL / STATE GOVERNMENT

Central/State Government has a crucial role to play in the implementation of the Act. Section 26 of the Act mentions that it should take steps to develop and organise educational programmes to advance the understanding of the public on RTI, particularly of disadvantaged communities and to train PIOs and produce relevant training material for use by public institutions. They can make rules related to fees and costs for accessing information. The ministries and departments in government have the responsibility of preparing the annual report and maintain records for such purposes. Thus Central/State Government have been allocated the role of taking the message of RTI among the masses through various means.

IMPACT

Right to Information Act has been used by poor and marginalised across the country in spite of numerous constraints created by government departments, government officers and lack of awareness about the Act. They have used RTI to solve the problems related to services like water, electricity, roads, etc., and get entitlements like Below Poverty Line (BPL) cards, pensions, scholarships, job cards under the National Rural Employment Guarantee Scheme, houses in Indira Housing Schemes (Awas Yojana) and voters' identification cards from electoral offices. In several locations, citizens have conducted public hearings and prepared citizens' report card for taking stock welfare programmes, monitoring the construction of roads, ponds, drains, schools and other public buildings (see Box No. 1). The data for hearings and report cards, for example, budgets, muster rolls, and sanctioned beneficiaries was obtained through RTI which otherwise would have been impossible to access from government institutions. Even media persons have accessed authentic information under the law and exposed malpractices, poor functioning, corruption, etc., in governance institutions. RTI, thus, has created fear in the minds of government officers that any involvement in malpractices can be exposed. Hence they are becoming reluctant to violate laws.

1. PRIA study makes noise in Indian Parliament

THE STUDY conducted by PRIA in 2007 was publicised in major national newspapers of the country. As a result of this publication, members of Indian Parliament also became aware of the constraints faced by citizens in accessing information under the RTI law in the country. Questions related to performance of public institutions on implementing RTI were raised in the Indian Parliament. The study was also shared with the state governments. Sharing has started to have some impact—The Haryana SIC has taken strong steps for implementing RTI, even punishing government officers for denial of information. The Himachal Pradesh Government has engaged civil society in preparation of a manual of RTI for officers and citizens. Appointment of members with civil society, law and science and technology background has started taking place in State/Central Information Commission.

Source: PRIA Annual Report 2007-08

2. Improving public distribution system in Uttar Pradesh

Under the public distribution system, Almapur's villagers had been receiving their share of ration every year. But only on paper. It wasn't until 2006—after an RTI application was

filed—that they actually got it.

“The ration was sanctioned but it was sold in the market by unscrupulous officials. We mobilised people and made them aware that the food at subsidised rates was meant for them,” said Sandeep Pandey, national convenor of the National Alliance of People's Movement. So, two years ago, the villagers, filed the RTI plea.

“After getting the information, we were shocked. We decided to hold demonstrations to highlight the harassment. Finally, the guilty were brought to book and today the situation has improved drastically,” said Ram Babu, a resident of Natpurwa village in Hardoi. Within 20 days, the poor villagers started getting ration—for the first time since independence, they say—and licenses of about 30 ration shops were cancelled.”

Source: Hindustan Times, New Delhi, Friday, October 17, 2008

3. Exposing corruption: Maharashtra

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4. Bringing transparency in examination system: Chhattisgarh

IRREGULARITIES IN the conduct of examinations and evaluations of the Chhattisgarh Public Service Commission were revealed after some aspirants filed an application under RTI in 2006.

The result was a change in the examination pattern and the commission admitting its mistake before the High Court. Ravindra Singh, president of the Pratiyogi Sangarsh Manch (Competitors Forum for Justice), said the commission accepted the blunders that were committed in allotting marks. The entire selection procedure then became disputed.

“The court in 2006 issued notices to all 147 candidates who were selected by the commission,” said Singh. Its chairman Ashok Darbari was suspended while secretary Manohar Pandey and examination controller D.P. Kashyap were removed and a member preferred to resign.

“The commission told the court that they were prepared to conduct another examination after nullifying the 2006 results. The final hearing is pending”.

Source: Hindustan Times, New Delhi, Friday, October 17, 2008

5. Getting Housing allowance: Gujarat

Kashiram Senve, a landless labourer, was surprised when he received a notice from the state's Social Welfare department. He was asked to refund Rs. 10,000 of his housing assistance loan.

In 1997-98, Kashiram, a Dalit of Keshavpura village in Ahmedabad district had been granted Rs. 40,000 under the Ambedkar Awas Yojana to construct his house. But the amount never reached him. Six years later, in May 2004, he received the notice asking him to refund Rs. 10,000 as he had not built the house.

Kashiram approached the Panchayat, which assured him that its records did not show any pending dues against him. But in February 2007, he received another notice asking him to refund an additional Rs. 6,350. He then turned to RTI. But the process was not smooth as officials of the District Social Welfare department threatened and asked him to withdraw his application and gave only a partial reply.

Source: Hindustan Times, New Delhi, Friday, October 17, 2008

Exposure of corruption and poor functioning of governance institutions at regular intervals can damage the credibility of institutions involved, thereby forcing them to improve its functioning. Citizens no longer have to depend on government-created accountability institutions like vigilance commissions, audit departments and monitoring agencies for ensuring accountability of governance institutions,. They can use new accountability mechanisms for making governance institutions accountable. Citizens can also keep a watch on government-created accountability institutions through these methods. It will ultimately pave the way for direct relationship of accountability between citizens and government, leading ultimately to strengthening of democracy.

Key concepts described above have been presented through power point. Trainers can use this power point presentation in training sessions.



Tool 1:

Understanding Right to Information in the framework of Poverty, Development and Accountability

Power Point Presentation

Slide 1 : Poverty – Development – Accountability

- Link b/w Poverty–Development–Accountability
- Poor accountability leads to corruption, underdevelopment and poverty.
- 75 per cent of 163 countries which are corrupt are also poor (Corruption Perception Index, 2006): Poor accountability.
- Developed countries (the USA, New Zealand) have low level of corruption: Good accountability Good governance is linked to a high Human Development Index and high per capita income.

Slide 2 : Examples of corruption & poor accountability

- In Uzbekistan- 25,000/- bribe for jobs
- In Bangladesh – commissioner favours landlord's / privileged while neglecting poor (Implementation of government programs)
- India – scams in NREGS, PDS, Road Construction

Slide 3: India ranks low in development indicators

- Human Development Index (UNDP): India's HDI Rank in 2005 is 127 among 177 countries.
- GDP Per Capita Index: India's rank in 2005 is 118 among 177 countries.
- Gender-related Development Index (GDI): India's rank in 2005 is 98 among 140 countries.
- Corruption Perception Index, 2005 (Transparency International): India's rank is 88 among 159 countries. World Competitiveness Index (World Economic Forum): India's rank in Growth Competitiveness Index, 2005 is 50 among 117 countries and its rank in Business Competitiveness Index, 2005 is 31 among 116 countries.

Slide 4 : Poor development linked to secrecy, poor transparency and accountability

- Ineffective Public Service Delivery (Starvation deaths in Eastern UP, death of 4000 children in Melghat, Maharashtra – 2007 have been kept secret] Widespread corruption and inefficiency (Aircraft accidents—190 aircraft lost, 80 pilots killed – have been kept secret).

- ♦ Departure from norms of good governance at all levels of government.
- ♦ Insensitivity at the 'Cutting Edge Level'—interface with citizens.
- ♦ Lack of focus on performance.
- ♦ Lack of transparency and accountability to citizens.
- ♦ No feedback mechanisms from citizens.

Slide 5 : Searching for way out: aiming for Good Governance

- ♦ Good Governance means 'Collective decision making for common public good.' It has following components:



Slide 6 : Transparency

- ♦ Transparency – Sharing information and acting in an open manner (letting people know what government officials are doing).

Slide 7: Accountability

Accountability-holding public institutions responsible for their performance.



Slide 8: Key Issues in Accountability



Slide 9: Types of Accountability

- ♦ Vertical accountability, for example, social audit, citizen's report card, citizen's charter, participatory planning and budgeting, participatory budget analysis, participatory performance monitoring (also referred to as social accountability).
- ♦ Horizontal accountability, for example, ombudsman, audit department, anti-corruption bureaus, etc.

Slide 10: The Concept of Social Accountability

Social Accountability can be defined as:

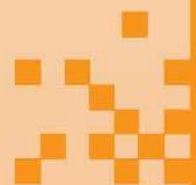
- ♦ The ongoing and collective effort to hold public officials and service providers to account for the provision of public goods such as primary health care, education, sanitation and security.
- ♦ It aims at exposing governmental wrongdoings, bringing new issues into the public agenda, or activating the operation of horizontal agencies.
- ♦ SA mechanisms can be initiated and supported by the state, citizens or both, but very often they are demand-driven and operate from the bottom up.

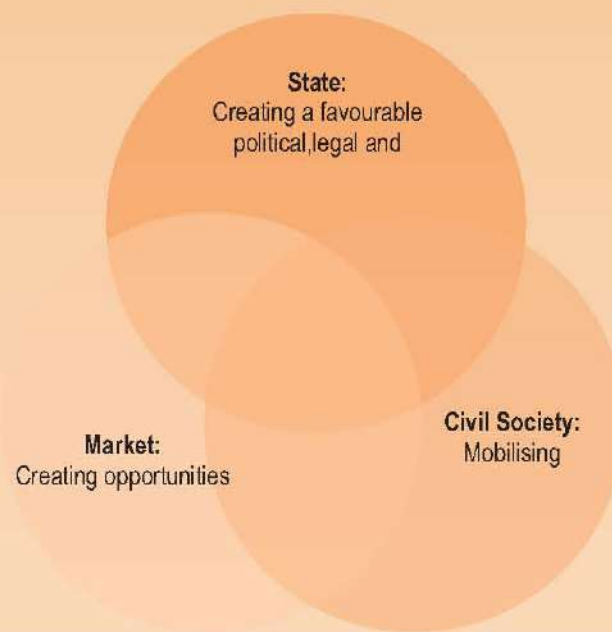
Slide 11: **Social Accountability Model**



Slide 12: **Using RTI to make Social Accountability effective**

- Use of RTI to get information from government departments.
- Use of RTI for conducting social audit, citizen's report card.
- Use of RTI by media for investigative journalism.
- Individual and collective use of RTI for ensuring transparency.





From	To
A major operator in many sectors the economy.	A prudent facilitator of private sector of activity in areas best operated by private sectors.
A regulator and controller of most economic decisions in many sectors.	An enabler of market-based development through a conducive, deregulated policy environment with requisite safety nets.
Direct top-down administration and centralised decision-making.	Enabling, empowering and ensuring participation from local administration and decentralising decision-making.



WHAT IS RIGHT TO INFORMATION

Right to Information Act came into effect in October 2005. This Act has 32 provisions and the common man needs to know some provisions of the process of applications and appeals in order to access information from government departments. A trainer can use lecture-oriented methods, games and quizzes for making trainees aware of the RTI Act. It is sometimes not possible for participants to understand the Act in one session, as the Act is slightly detailed. In such situations, trainers can use multiple tools to explain the provisions of the Act. However, sufficient care should be taken not to conduct these sessions back to back, and trainees should give some time gap between such sessions, so that the Act can be fully understood by participants.

Now, we are going to discuss some tools sequentially; Tool 2 mentions in detail the important provisions of RTI and Tool 3 discusses RTI provisions in short, which can be used by resource persons in case they do not have much time. Tool 2 and 3 can also be written on a flip chart by trainers in case a Powerpoint presentation is not available. Next, Tool 4 discusses the role and responsibilities of Public Information Officers, which can be used when government officers are being oriented. The lecture-oriented methods would be useful for representatives of civil society organisations, elected representatives, students and government officers. The Powerpoint presentations are self-explanatory but for reference Chapter 1 and Appendix may be consulted as it has dealt with the relevant topics in great detail. While conducting training programmes using the lecture method, a trainer must make the training interactive, giving examples from daily lives and linking themes to lives of participants. However, for capacity building of CSOs, student and CLs, games and quizzes can be useful as they learn fast through activity-based exercises. Tool 5 describes a Snakes and Ladders and Card games and Tool 6 has four sets of quizzes with about 20 questions each. Tool 6 largely covers important provisions of the RTI Act. If a trainer needs clarification on any provision of the RTI Act, he should consult the Appendix where a simplified version of the RTI Act has been given.

Before discussing the five tools one by one, let us discuss the merits and demerits of lecture-oriented methods (Powerpoint presentation), so that trainers use this method efficiently and effectively.

The lecture method is an effective way to introduce new information concepts to a group of learners. The learners always appreciate a concise, stimulating and well-delivered lecture.

The lecture method is primarily used to build upon the learners' existing base of knowledge. The lecture must always be suited to the learners' level. Asking some relevant and elective questions can help elicit information about this. Therefore, the trainer will have to make constant efforts to place the new information in the context of the training by continuously providing examples and illustrations to relate it to the learner's context. (Participatory Training 2002: 64-65)



What difference does lecture method makes ?

- They convey new information and concepts to the learners.
- They are required when a learner's experiences need to be placed and related within a theoretical framework.
- They are required for stimulating and motivating learners for further enquiry.
- They are required to present a specialised body of external information.

How to lecture effectively ?

- Prepare for the lecture and become very familiar with the subject matter.
- Identify and prepare supporting aids to illustrate the points.
- Provide examples to link the subject matter to the lives of the learners.
- Ask questions to check whether the learners are following
- Provoke the learners to ask questions and note the key points.
- Maintain eye contact with the learners to assess whether they are following or not, or whether they are interested or bored.
- Have a seating arrangement in which all can see the aids equally well and hear the lecture and maintain time stipulations.
- Be aware of your own body movements and facial expressions.
- Speak clearly, loudly and use simple language.

Advantages	Disadvantages
<ul style="list-style-type: none">♦ Allows the presentation of facts.♦ Information and concepts are available in a relatively short span of time.♦ Makes possible interaction of learners with multiple resource persons with different points of view.♦ Can be used with illiterate learners.♦ A diverse range of supportive materials can be used to support the content areas, for example, slides, charts and posters.♦ A large number of learners can be accommodated at one time.	<ul style="list-style-type: none">♦ The world view of the speaker dominates the knowledge.♦ It does not promote interaction in most cases.♦ The input may be too abstract if not related to real life situations.

(Participatory Training 2002: 64-65)

Lecture –oriented methods should be used with due care. Let us now discuss the tools one by one.

Tool 2:

Right to Information Act [Longer version]

Power Point Presentation

Slide 1 : Coverage and Entry into Force

- ♦ Covers all of India except Jammu and Kashmir (J&K passed its own Freedom of Information Act in 2004).
- ♦ Covers offices owned, established, or financed by the Central, State governments and the Union Territories.
- ♦ Any body owned, controlled or substantially financed by them directly or indirectly.
- ♦ Non-government organisations substantially financed with funds provided by them directly or indirectly.

Slide 2 : Information' and 'Right' - Definitions

Information:

Records, documents, memos, emails, opinions, advice, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in electronic form and information about private bodies that can be accessed under the existing laws by a public authority.

Right:

- ♦ To inspect works, documents, records.
- ♦ To take notes, extracts or certified copies.
- ♦ To information whose disclosure is in the public interest.
- ♦ To obtain information in electronic form.
- ♦ To take samples.

(Section 2)

Slide 3 : Competent Authority & Public Authority

Competent Authority:

- ♦ Speaker Lok Sabha/Vidhan Sabha
- ♦ Chairman of the Rajya Sabha/Legislative Council
- ♦ Supreme Court and High Courts—Chief Justices
- ♦ President of India or the Governor for all other authorities created by or under the Constitution.



Public Authority:

- ♦ For UTs—Administrator (Lt. Governor)
- ♦ Any body constituted under the Constitution or law made by Parliament/State Legislature.
- ♦ Any body constituted by notification issued by Central/State governments.
- ♦ Any other body owned or controlled by the Central/State governments.

(Section 2)

Slide 4 : Public Authority Duty of Proactive Disclosure

Every Public Authority must publish these on a regular basis

- ♦ Particulars of its organisation, duties and functions,
- ♦ Powers and duties of its officers and employees,
- ♦ Procedure to be followed in its decision-making process, including channels of supervision and accountability,
- ♦ Norms set out by it for discharge of its functions.
- ♦ Information about rules, regulations, instructions, manuals and records used by its employees for discharging its functions.
- ♦ Statement of the categories of documents held by it or under its control.
- ♦ Details of any arrangement for consultation or representation by members of public in relation to policy formulation and implementation.

Slide 5 : Public Authority Duty of Proactive Disclosure

Every Public Authority must publish these on a regular basis

- ♦ List of boards, councils committees and other bodies consisting of two or more persons for getting advice including whether their meetings are open to the public or if minutes of meetings are accessible to them.
- ♦ Directory of its officers and employees and monthly salary received including the system of compensation as provided in its regulations.
- ♦ Budget allocated to each of its agencies, indicating particulars of all plans, proposed expenditure and reports of disbursements.
- ♦ Details of implementation of subsidy programmes including the amounts allocated, the beneficiaries and other details.
- ♦ Details of any concessions, permits or authorisations granted.
- ♦ Details of information held by it, which is in electronic form (Section 4).

Slide 6 : Public Information Officer (PIO)

PIOs must be designated in each Public Authority at the level of its administrative units or offices under it and Assistant PIOs must be designated at sub-divisional or sub-district level.

Duties:

- ♦ Accept requests and give information within a time limit.
- ♦ Assist those who cannot read and write while filling up applications.
- ♦ Give information in the format requested as far as possible.
- ♦ If granting partial access give reasons why and the materials on the basis of which this decision was taken.
- ♦ If information is received from the third party (includes any other public authority) then gives them 10 days to file objections.
- ♦ If refusing to give information, give reasons in writing and also inform who is the Appellate Authority and the time limit for filing appeals.

Slide 7 : Application Process

♦ Apply in person or electronically	↔	♦ Request in English or local official language
♦ Time limit for giving information	↔	♦ 30 days
♦ If information concerns life and liberty of a person.	↔	♦ Must be given within 48 hours
♦ If information is given by third party then invite objections if any	↔	♦ Add 10 extra days
♦ No action on application for 30 days	↔	♦ Deemed refusal

(Reasons for seeking information shall not be asked)

Slide 8: Fees payable

- ♦ Application fees to be prescribed by the appropriate government
- ♦ Fees must be reasonable.
- ♦ No fees for Below Poverty Line applicant.
- ♦ Cost of giving information may be charged on the requestor.
(Details of fees and how the figure was arrived at must be given in writing).
- ♦ Requestor may seek review of the fees from the Appellate Authority if it is unreasonable.

- ♦ Time between date of dispatch of intimation about fees and actual payment excluded while calculating 30-day time limit.
- ♦ If information is not given within the time limit it must be given free of cost. (Section 6-7)

Slide 9 : Appellate Authority (AA)

♦ First Appeal (Internal)	↔	♦ To the officer immediately senior to the PIO in the concerned public authority (First Appeal must be filed within 30 days from the date of the refusal letter but the delay may be condoned if sufficient cause is shown)
♦ Time limit	↔	♦ 30 days
♦ Second appeal	↔	♦ To the Central/State Information Commission (Second Appeal must be filed within 90 days from the date of the decision of the first AA but delay may be condoned if sufficient cause is shown)

(No time limit for CIC/SIC to decide on appeals)

♦ Decision of CIC/SIC is binding	↔	♦ Burden of proof lies on PIO for justifying denial of information
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(Appeal against IC's decision can be filed in High Court but not lower courts)

(Section 12-19)

Slide 10: Central Information Commission

- ♦ One Chief Information Commissioner and maximum of 10 Information Commissioners (ICs) (Five year term fixed for all commissioners)
- ♦ Central Information Commission to be based in Delhi.
- ♦ Chief Information Commissioner to be in Delhi but ICs could be based in other parts of India. Commission will be independent of government Control.
- ♦ CIC and ICs to be appointed by President with immediate effect.
- ♦ Names recommended by committee—PM (Chair), Leader of Opposition in the Lok Sabha and one Cabinet Minister nominated by the PM.

Slide 11: Central Information Commission

- CIC's salary should be equivalent to that of the Chief Election Commissioner.
- IC's salary should be equivalent to that of the Election Commissioner.
- The candidate should be an eminent person in the public sphere with knowledge and experience in law, science, technology, social services, management, journalism, mass media or administration and governance.
- CIC and retiring ICs will be eligible for appointment to any other public office.
- CIC can be removed after Presidential reference to Supreme Court for misbehaviour and incapacity (misbehaviour means profiting from government or private contract during term)]
- President can remove without reference to SC—Insolvency or conviction of offence for moral turpitude; taking up paid jobs outside office during term; infirmity of body or mind or having acquired financial or other interests detrimental to functioning in CIC.


(Section 12-14)

Slide 12: State Information Commission

- One State Chief Information Commissioner (5 year term) and a maximum of 10 State Information Commissioners (SICs) (Five year term fixed for all commissioners)
- State Information Commission could be in any part of the State—to be decided by the States. The Commission will be independent of State government's control.
- SCIC and SICs to be appointed by Governor with immediate effect. Names to be recommended by the committee—CM (Chair), Leader of Opposition in the Vidhan Sabha and one Cabinet Minister nominated by the CM.
- Similar powers and functions as Central Information Commission. (Section 15-17)

Slide 13: State Information Commission

- SCIC's salary should be equivalent to that of the Election Commissioner.
- State Information Commissioner's salary should be equivalent to State Chief Secretary's candidate should be an eminent person in public life with knowledge and experience in law, science, technology, social service, management, journalism, mass media or administration and governance.
- SCIC and retiring SICs will be eligible for appointment to any other public office.
- Can be removed after Governor's reference to Supreme Court for misbehaviour and incapacity (misbehaviour means profiting from government or private contract during term.

- 
- ♦ Governor can remove without reference to SC for— Insolvency or conviction of offence for moral turpitude; taking up paid jobs outside office during term; infirmity of body or mind or having acquired financial or other interests detrimental to functioning in CIC.

(Section 15-17)

Slide 14: **Information Commission (Central and State)**

Powers and Functions

Duty to receive complaints:

- ♦ If requests cannot be filed because PIO is not appointed.
- ♦ When the first AA upholds PIO's decision of refusal.
- ♦ If there is no response on request within the time limit.
- ♦ If requestor thinks fees charged are unreasonable.
- ♦ If requestor thinks information given by PIO is incomplete, false or misleading.
- ♦ Any other matter relating to obtaining information under this law.

ICs have powers of Civil Court to conduct inquiry.

All records (including those covered by exemptions) must be given to IC during inquiry for examination.

(Section 18)

Slide 15: **Information Commission (Central and State)**

Power to secure compliance from Public Authority includes:

- ♦ To appoint PIO in a Public Authority if none exists.
- ♦ Require Public Authority to compensate for any loss suffered by requestor due to unreasonable denial.
- ♦ Seek annual report from Public Authority of compliance with this law.
- ♦ Get the Public Authority to publish all information it is required to publish under this law.
- ♦ Enhance training provisions for officials on RTI.
- ♦ Get Public Authority to make necessary changes to records, management, maintenance, and destruction procedures.
- ♦ Impose penalties as stipulated in this law.

ICs to submit annual report to Parliament/Vidhan Sabha through Central/State government about its work and implementation of this law.

Slide 16: Third Party

- ♦ A person other than the person making a request for information and includes a public authority.
- ♦ If the information requested is given by the third party and treated as confidential by the third party then the PIO must give it written notice inviting objections.
- ♦ The third party must be given notice within five days of receiving the information request.
- ♦ The third party may give verbal or written submissions to the PIO within 10 days of receiving notice
- ♦ The third party can appeal to First Appeal body within 30 days and to IC within 90 days.

(Section 2 & 11)

Slide 17: Penalty Provisions

- ♦ Refusal to receive application
- ♦ Not furnishing of information within time limit
- ♦ Malafidely denying information
Knowingly giving incorrect, incomplete, misleading information
- ♦ Knowingly giving incorrect information
- ♦ Destroying information which was the subject of request
- ♦ Obstructing furnishing of information in any manner

Without reasonable cause

For persistent violation of the law IC can recommend disciplinary action

[Sec. 20-21]

Slide 18: Public Authority – Other Duties

Every Public Authority must:

- ♦ Publish all relevant facts while formulating important policies or announcing decisions which affect the public
- ♦ Provide reasons for its administrative or quasi-judicial decisions to affected persons.

Slide 19: Other Duties of Central / State Govts.

Subject to availability of resources the governments must:

- ♦ Develop educational programmes for the public especially for the disadvantaged communities to exercise their RTI.
- ♦ Encourage public authorities to participate in the development and organisation of these programmes.
- ♦ Train the PIOs and produce relevant training materials for them.
- ♦ Promote timely and effective dissemination of accurate information about the activities of the public authorities.
- ♦ Within 18 months compile a user guide in the official language for the benefit of citizens.

(Section 26)

Slide 20: What is not open?

No obligation to give any citizen information:

- ♦ that would prejudicially affect the sovereignty, integrity, security, scientific or economic interest and relation with a foreign state.
- ♦ that would lead to an offence being committed.
- ♦ whose release is forbidden by a court or tribunal or if disclosure might constitute contempt of court.
- ♦ whose disclosure may lead to breach of privileges of Parliament or State Legislatures.
- ♦ whose release is likely to impede investigations or the prosecution process.
- ♦ from foreign government received in confidence.
- ♦ if it is available to a person in his fiduciary relationship—except in public interest

(Section 8)

Slide 21: What is not open?

Information:

- ♦ whose disclosure may endanger the life and safety of a person.
- ♦ such as commercial and trade secrets, IPRs, etc., except in public interest.
- ♦ if it is about source of information or assistance given in confidence for law enforcement or security purposes.

- ♦ of a personal and private nature unless required in the larger public interest.
- ♦ Cabinet papers including deliberations of Council of Ministers, secretaries and other officers.

(But decisions of Council of Ministers and materials based on which they are taken must be made public after the decision is taken and the matter is completely resolved).
(Section 8)

Slide 22: Who is not covered?

- ♦ IB & RAW
- ♦ Directorate of Revenue Intelligence
- ♦ Central Economic Intelligence Bureau
- ♦ Directorate of Enforcement
- ♦ Narcotics Control Bureau
- ♦ Aviation Research Centre
- ♦ Special Frontier Force
- ♦ CRPF, ITBP, CISF, NSG
- ♦ Special Service Bureau
- ♦ Assam Rifles
- ♦ Special Branch (CID) Andaman and Nicobar
- ♦ Crime Branch (CID) Dadra and Nagar Haveli
- ♦ Special Branch Lakshadweep Police

Intelligence or security organisation established by State govts.

Information related to corruption and human rights violations covered by law must be given.

Information can be given only if concerned IC approves
Time limit – 45 days

[Sec. 24(1) and Schedule 2]

- ♦ if it is available to a person in his fiduciary relationship—except in public interest
(Section 8)

Slide 23:

Guiding principles for disclosure—Time-bound disclosure

- ♦ All information about any event, occurrence or matter must be given after 20 years
- ♦ Except...

- ♦ Information relating to sovereignty, security, integrity, scientific and economic interest of the State.
 - ♦ Information that may lead to an offence being committed.
 - ♦ Cabinet papers and records of deliberations of Council of Ministers, Secretaries and other officers.
 - ♦ Information that may lead to breach of privileges of Parliament and State Legislatures.
- [Section 8(3)]

Slide 24: Guiding principles for disclosure

- 1) Information which cannot be denied to Parliament or Legislature of a State shall not be denied to any person.
[Section 8(1)]
- 2) Despite exemptions in Section 8, if public interest is more important.
 - ♦ access must be allowed if public interest outweighs harm to the public authority—to be decided by the PIO or appellate body.

[Section 8(2)]
- 3) Partial Disclosure
 - ♦ Entire file/record is not exempt even if it contains exempt information. Non-exempt portions may be released after separating exempt parts.

[Section 10(1)]

(Source: adapted from Shekhar Singh's Power point presentation on RTI, National Campaign on People's Right to Information)

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[Section 10(1)]

(Source: adapted from Shekhar Singh's Power point presentation on RTI, National Campaign on People's Right to Information)

Tool 3:

The Right to Information Act 2005 [short version]

Power Point Presentation

Slide 1 : Right to Information - Basic Tenets

- ♦ Disclosure a rule and Secrecy an exception Transparency means public interest Public Interest overrides 70 countries in world has enacted it Effective implementation of RTI Act will lead to good governance

Slide 2 : The RTI Act 2005 - Coverage

- ♦ Came into effect 120 days after enactment.
- ♦ Covers central, state and local governments, and
 - o all bodies owned, controlled or substantially financed;
 - o non-government organisations substantially financed, directly or indirectly by funds provided by the appropriate Government [2(h)].
- ♦ Covers executive, judiciary and legislature [2(e)].
- ♦ Covers central, state and local governments.

Includes information relating to private bodies which can be accessed under any other law for the time being in force [2(f)].

Slide 3 : The RTI Act 2005 – Some Definitions

- ♦ "Information" includes any material in any form, opinions, advices, and samples.
- ♦ "Right to Information" includes inspection of work, records; taking certified samples of material.


Slide 4 : The RTI Act 2005 - Processes

- ♦ Application with fee, to the Public Information Officer (PIO).
- ♦ The PIO in each office/PA. Assistant PIO at sub-district levels.
- ♦ Information within 30 days; 48 hours where life or liberty is involved.
- ♦ No action on application for 30 days is a deemed refusal.
- ♦ No fee for delayed response.

Slide 5: The RTI Act 2005 – Processes...

Exempt information:

- a. affecting sovereignty, integrity, security, strategic, scientific or economic, or other interests of the State, relation with foreign state or leading to incitement of an offence.

- 
- b. forbidden by courts.
 - c. affecting privilege of Parliament or Legislature.
 - d. involving commercial confidence, trade secrets or intellectual property, unless larger public interest so warrants.
 - e. received in confidence from any foreign government.

Slide 6: RTI Act 2005-Exemptions contd.

- f. Information that endangers life or physical safety or identifies confidential source of information or assistance.
- g. Information that impedes the process of investigation or apprehension.
- h. Information involving cabinet papers, till after the decision has been taken, and the matter is complete, or over
- i. Personal information which would cause invasion of the privacy unless larger public interest justifies it.

Slide 7: RTI Act 2005- Exemptions contd.

- j. Infringes copyright, except of the state.
 - k. Intelligence and security agencies are exempt, except for corruption and human rights violation charges.
 - l. Notice to third party.
 - m. Most exempt information released after 20 years.
 - n. Notwithstanding anything a public authority may allow access to information, if public interests in disclosure outweighs the harm to the protected interests.
- Slide

Slide 8 : RTI Act 2005 – Appeals

- ♦ First appeal is to be made with senior officer in the department
- ♦ Second appeal is to be made with Information Commission
- ♦ Appeals to be settled in 30-45 days at 1st appeal
- ♦ Onus of proof on public information officer/public authority
- ♦ Independent Information Commission at the Central and State level for 2nd appeals
- ♦ Information Commissioners to be appointed by a committee of PM/CM, leader of opposition and one minister.

Slide 9 : RTI Act 2005 - Penalties

- ♦ Penalties are imposed by Information Commission on the PIO or officer asked to assist the PIO.
- ♦ Penalties are imposed for unreasonable delay—Rs 250 per day up to Rs 25,000.
- ♦ For illegitimate refusal to accept applications, malafide denial, knowingly providing false information, destruction of information, etc., the fine amount can go up to Rs. 25,000.
- ♦ Information Commissions can make recommendations for departmental action for persistent or serious violations by public information officers.

Slide 10: RTI Act 2005 - Access

- ♦ Universal access—especially to the poor.
- ♦ Fee at a reasonable level and no fee for BPL.
- ♦ APIOs at sub-district levels handle matters.
- ♦ No need to specify reason for seeking information or other personal details.
- ♦ Provision to reduce oral requests into writing.
- ♦ Provision to provide all required assistance, including to blind person
- ♦ Information to be provided in local languages.
- ♦ Provision for damages.

Slide 11: RTI Act 2005—Responsibilities of Public Authorities

- ♦ Publishing all relevant facts while formulating important policies or announcing the decisions which affect public [4(1)(c)].
- ♦ Providing reasons for its administrative or quasi judicial decisions to the affected persons [4(1)(d)].
- ♦ Providing a large amount of information suo moto [4(2)].
- ♦ Providing information to the Information Commission [25(2)].

(Source: adapted from Shekhar Singh's Power point presentation on RTI, National Campaign on People's Right to Information)



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(Source: adapted from Shekhar Singh's Power point presentation on RTI, National Campaign on People's Right to Information)

Tool 4:

Public Information Officers: Role and Responsibilities

Power Point Presentation

Slide 1 : Designation of PIOs & APIO

- ♦ Designation of as many PIOs in all administrative units as required.
- ♦ APIOs are to be designated in the sub-district level for receiving applications and appeals.

Slide 2 : Duties of PIOs

- ♦ Receive request of information.
- ♦ Provide reasonable assistance to all.
- ♦ Taking assistance of any other officer.
- ♦ To specify fees and to dispose off request for information.

Slide 3 : Duties of APIOs

- ♦ To receive applications and appeals and forward them to the PIO/Appellate Officer/Information Commission.

Slide 4 : Time Limits

- ♦ Normal application: 30 days.
- ♦ Life and Liberty: 48 hours.
- ♦ Through APIO: 45 days.
- ♦ Third party: 45 days
- ♦ Security agencies/ intelligence agencies: 45 days.

Slide 5: Steps for disposal of requests

- ♦ Provide all possible assistance to applicant
- ♦ Receive application and application fee
- ♦ Scrutinize applications
- ♦ Prescribe fees & Intimate applicant about fees
- ♦ Register the application in inward register
- ♦ Issue receipt to applicant
- ♦ Transfer the application to another authority, if required

- ♦ Inform applicant about such transfer
- ♦ Give chance of representation to Third party
- ♦ For rejections – give reasons, details of appellate bodies
- ♦ Provide assistance for citizens for inspection of works, documents
- ♦ Waive fees for BPL families
- ♦ Maintain registers for requests & disposal, rejections, fee collections
- ♦ PIO can seek help of other Officers in supplying information (Officer, whose assistance is sought by PIO in supplying information is called Deemed PIO)

Slide 6 : Third party

- ♦ First party: Applicant
- ♦ Second party: PIO
- ♦ Third party: Person about whom information is asked from the PIO by the applicant.
- ♦ Notice should reach the third party in five days.
- ♦ Third party must reply in 10 days.
- ♦ Third party can appeal if the PIO wants to disclose information about him.
- ♦ Disclosures are allowed except for commercial/trade secrets.
- ♦ Public interest outweighs private interest.

Slide 7 : Inspection of work, records, documents

- ♦ In consultations with offices of government departments fix one/two days in a week for inspection.
- ♦ Documents inspection should be in presence of an official as documents can be torn/stolen.

Slide 8 : Procedure for Rejection

- ♦ If processing of applications takes more than 30 days it is deemed as rejection.
- ♦ Reasons of rejection.
- ♦ Period of appeal: 30 days.
- ♦ Details of appellate bodies.

Slide 9 : Dealing with APIOs and other Officers

- ♦ He should be regularly updated by APIO about RTI applications
- ♦ APIO must inform PIO about applications received and sent

- ♦ PIO can seek information from any officer/ any other public authority

Slide 10: Dealing with Appellate Authorities

- ♦ Ready for any appeal against him at First Appellate Authority
- ♦ In case of appeals before State Information Commission – he should be present on scheduled time
- ♦ He should be able to prove that there was no malafide denial of information
- ♦ Carry all documentary proofs of interaction with applicant and officers.
- ♦ Prove that the action is taken in good faith and acted upon reasonably and diligently.
- ♦ If otherwise, then a penalty of Rs. 250/- to Rs. 25,000/- will be imposed.
- ♦ SIC can recommend disciplinary action.

Slide 11: Check slip for PIOs

- ♦ Details of administrative unit/office.
- ♦ Information pro-actively published.
- ♦ Information available electronically.
- ♦ Annual reports and other documents.
- ♦ Name, addresses and details of appellate bodies, SIC.
- ♦ Contact details of APIOs/PIOs of other public authorities.
- ♦ Registers of receipt of applications, disposal rejections and fees collected.
- ♦ Arrangements for inspection of records.

Slide 12: Imp. Tips for PIOs

- ♦ Information, which cannot be denied to Parliament/State Legislature, shall not be denied to the citizen.
- ♦ Notwithstanding exemptions of Section 8 (1) public interest outweighs protected interests.
- ♦ RTI 2005 overrides OSA 1923.
- ♦ Any material related to the occurrence of the event taken place 20 years before the date of application must be provided to the citizens.
- ♦ Information about third party is subject to legal safeguards.
- ♦ Burden to prove before SIC that acted reasonably and diligently lies with PIO (supported by documentary evidence).

[Source: A Manual of Public Authorities, Information Officers, Appellate Authorities, C.G.G., 2006]

Game 1: *Snake and Ladder*

Purpose of Snake and Ladder Game on RTI: The Right to Information Act was enacted in India on October 12, 2005. With it, every citizen got the legal right of extracting information from government departments. This provision inspires the democratic administration. But it would prove to be effective only if the Indian citizen would be able to understand and access it.

This Act provides an opportunity to the deprived sections of society and other citizens to question government functioning. Through it not only can the service provided by the government be improved but it would keep an eye on government functions. Proper knowledge and use of the provision provided in the Act will make its enactment worthwhile. Citizens can solve their day-to-day problems by using it. Even after three years of its implementation, people in the remote regions of India are still unaware of this right. Since the literacy rate in country is very low, voluntary organisations and educated class have the responsibility to make the citizens aware of this law and this can be effectively done through the Snakes and Ladders game. This game can be found in the Appendix. Trainers can draw this game in chart papers and arrange for dice and tokens to play it.

Objectives: The prime objective of the game is to make citizens aware of the Right to Information Act.

Target group: this game can be very useful for the marginalised communities in rural/urban areas.

Duration: One and half hour

How to play

People in India are quite familiar with the Snakes and Ladders game. Generally there are 100 numbered grid squares in a 10x10 square board on which 1 to 100 is printed. (The count starts from the bottom left corner with number 1 and ends on the top left corner with number 100). Snakes and ladders are printed on some numbers. The ladder always starts from some lower number and ends at a higher number, while snakes always start from a higher number and end on a lower one. The ladder in this game depicts success and snakes failure. The sentences related to the Right to Information Act which are written on the snakes show the bottlenecks in the implementations of this Act. The sentences written on the ladder shows the positive elements and influence of this Act.

One popular method of playing this game is involving four or five players where one plays his/her dice; or if there are more participants, this can be played in a group. All the participants are divided into four groups and choose their respective representative who plays for the group. The player has to throw the dice (inscribed six numbers on six different sides) and has to move according to the number written on the dice. If the token of the player falls into the bottom of the ladder and top of the snake, it moves towards the

top of the ladder and bottom of the snake, respectively. The player would read the sentences written over them and would discuss it. This game will continue till at least one player reaches 100. The final destination of 100 shows the player has passed through the process to access information and in the end he gets information under RTI.

Directions for Snake and Ladder game:

- ✦ Each player has to abide by the rules of the game.
- ✦ Large groups can be divided into four or five groups.
- ✦ Each group can select its representative.
- ✦ Each player can be given the token (gotti) of different colours.
- ✦ These players can throw the dice one by one.
- ✦ The chart of Snakes and Ladders on the Right to Information should be placed on the floor.
- ✦ Any player can start the game.

खेल-खेल में समझे एवं व्यवहार में लाएँ, सूचना का अधिकार, अधिनियम 2005

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Game 2: *Card Game*

Introduction: Though RTI Act 2005 is written in a simple language, the general public finds it difficult to understand because they do not use nitty-gritty of law in day-to-day life. This game has been designed in such a way that it helps people in understanding the Act as the game progresses. In this game, pictures are used to explain the major points of RTI. These pictures are related to the sentences written on the cards. These pictures can be understood by the sentences written on it. The card game can be played through three different methods, which have been described below. Our experience of making people aware of RTI Act through game shows that this game simplifies the difficult subject like law. People can understand the fine points of RTI through this game. Let us now discuss how the game is played.

What is card game?

There are total 64 cards in the game as can be seen in appendix. These cards contain pictures and sentences, which correspond with RTI Act in one-way or another. The 64 cards are divided into 4 sets and each set has 16 cards. Each set deals with one subject :

Set – 1: Main Definitions in RTI Act

Set – 2: How to file application

Set – 3: How to file appeal

Set – 4: Information, which cannot be provided

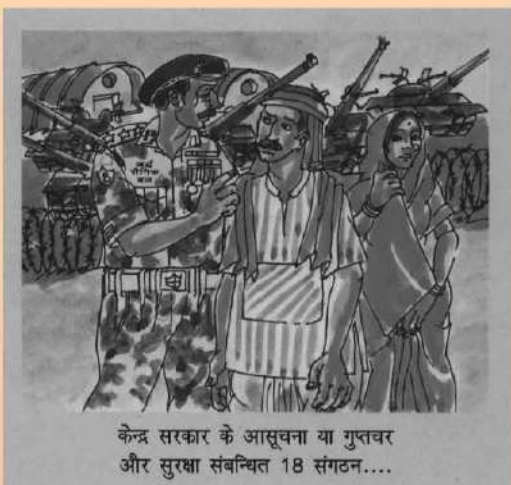
On every card, one incomplete sentence is written which is completed by another incomplete sentence of other card. In this way, two cards form one complete sentence that provides useful information about RTI. So one set of 16 cards tells about 8 important provisions of RTI Act. At the end of game we come to know about definitions in RTI Act through Set 1; how to file applications through Set 2; how to file appeal through set 3; information that cannot be provided through Set 4. Hence thirty-two sentences in four sets make the people aware of 32 important provisions of RTI Act.

How to play

Trainer should divide participants in four groups. Size of each group is not important and it can have the size of 4 -10 members. More than 10 members in a group may hamper group discussions, hence trainer should take care to restrict the size of each group to 10. Then group one should be given all cards of set one; group two should be given all cards of set two; group three should be given all cards of set three and group four should be given all cards of set four.

Each group should be given task of matching incomplete sentences in 16 cards. After each group has matched 16 cards and formed eight complete sentences, then they should be asked to write these sentences in a notebook. Then, they should be asked to discuss the meaning of each sentence. This exercise should take around 45-60 minutes. Thereafter, one representative of each group should make presentation of points discussed before all participants. Members of other three groups can seek clarifications / ask questions from the group which is making the presentation.

Trainer should prepare himself by carefully reading simplified version of Act in the appendix. He should also ask questions from the group, which is making presentation, and clarify any point, which the group is not able to explain.





Tool 6:

Organizing Quiz

A quiz is a form of game or mind sport in which the players (as individuals or in teams) attempt to answer questions correctly. Quizzes are also brief assessments used in education and similar fields to measure growth in knowledge, abilities, and/or skills. [wikipedia]

Quizzes are usually scored in points and many quizzes are designed to determine a winner from a group of participants - usually the participant with the highest score.

Quiz on Right to Information should be conducted to reemphasize learning on RTI which means that it should be used after power point presentation on RTI has been made or citizens have acquired some knowledge of RTI through games etc. Only after, participants have been educated on RTI, they can be tested on RTI. Our experience shows that quiz are very popular when it is conducted among university students. Hence, trainer should use quiz after carefully assessing learning needs of participants.

How to organize?

Participants should be divided into four groups and size of each group should not increase more than 10 members. Trainer can ask question from four groups one by one and give 2 points for a right answer and deducting one point for wrong answer. If one group is not able to answer the question, then next group gets opportunity to answer the question. If it answers correctly, then it gets one bonus point. One person from training team can keep score of four teams on a chart paper. Quiz goes on till, one set of quiz is complete. Some prizes can be kept for winner team.

Mentioned below are five sets of quizzes, these quizzes deal with different aspects of like definitions of RTI Act, procedures for filing application, role and responsibilities of PIOs and functioning of information commissions.



Quiz



Set 1

- Q1] As per the RTI Act, 'appropriate government' is a public authority, which is established, constituted, owned, controlled or substantially financed provided by:
- The Central Government.
 - The State Government.
 - All of the above.
- Q2] 'Competent Authority' defined as per the RTI Act includes:
- The speaker in the Lok Sabha and Irgislative assemblies of the state
 - Chairman in the Rajya Sabha
 - The Chief Justice of India in the Supreme Court
 - The Chief Justice of the High Court
 - The President
 - The Governor of a state
- (i), (iii) and (v)
 - (ii), (iv) and (vi)
 - All of the above
- Q3] As per the RTI 'information included material in any form like e-mails, orders, logbooks etc.
- True
 - False
- Q4] The right to information under the RTI Act includes the right to:
- Inspection of work, documents, records.
 - Taking notes, extracts or ertified copies of documents or records.
 - Taking certified samples of materials.
- Obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or any other device.
- (i), (ii) and (iii)
 - (i) and (iii)
 - All Four
- Q5] 'Third party' means a person other than the citizen making a request for information and includes a public authority.
- True
 - False
- Q6] 'Public Authority' is an institution that is established-
- By or under the Constitution
 - By any other law made by the parliament
 - All of the above
- Q7] The RTI Act overrides the Official Secrets Act of 1923
- Yes
 - No
- Q8] Certain Intelligence & Security Organisations are exempted from the Act
- Yes
 - No
- Q9] Even an oral request will be treated as a request under RTI
- Yes
 - No
- Q10] If the same information is sought by a large number of people, it may be made available to only one person
- Yes
 - No

Q11] BPL families requesting for information should be charged an application fee

- a) Yes b) No

Q12] Can a person belonging to the BPL category seeking information be charge additional fees for providing the requested information

- a) Yes b) No

Q13] Does information regarding, Intelligence and Security Agencies come under the Purview of the Right to Information Act?

- a) Yes b) No

Q14] Under which of the following options can information regarding the Intelligence and Security Agencies be demanded under the Right to Information Act?

- (i) Human Rights
(ii) Administrative functions
(iii) Corruption
- a) All
b) (i) and (iii)
c) (ii) and (iii)

Q15] Does the Right to Information Act apply to private Authorities as well?

- a) Yes b) No

Q16] Under which Article in the constitution does the Right to Information stem from?

- (i) Article 19(1) (a)
(ii) Article 19(1) (b)
(iii) Article 21
- a) (i) and (ii)
b) (i) and (iii)
c) All

Q17] Can File Noting be disclosed under the Right to Information Act?

- a) Yes b) No

Q18] If you are a not a citizen of India, can you apply for obtaining information under the Right to Information Act?

- a) Yes b) No

Q19] Who is a 'third party'?

Q20] The Central/State Information Commission has to publish a report at the end of the year on the implementation of the provisions of the Act during the year which should be laid before legislature.

- a) True b) False

Answers to Set I

1. c, 2. c, 3. a, 4. c, 5. a, 6. b, 7. Yes, 8. Yes, 9. No, 10. No, 11. No, 12. No, 13. No, 14. b, 15. b, 16. c, 17. a, 18. b, 19. Another party whose information has been sought by RTI applicant (First Party) from government department (Second Party), 20. a,



Set 2

- Q1] Does the request for information has to be made in writing?
- a) Yes b) No
- Q2] In which language is the request for information to be made?
- (I) English
- (ii) Hindi
- (iii) Recognized Language in state
- a) (i) and (ii)
- b) (i) and (iii)
- c) All
- Q3] Is there an application fee associated with a request for information?
- a) Yes b) No
- Q4] Do people below the poverty line have to also pay the required application fee?
- a) Yes b) No
- Q5] What is the prescribed time limit for providing information by a public authority?
- a) 15 days from the day of application.
- b) 30 days from the day of application.
- c) 45 days from the day of application
- Q6] If the public authority does not furnish the information asked for within the 30day period then the application fees is exempt.
- a) True b) False
- Q7] To whom can the application for information be submitted?
- a) Central or State Public Information Officer
- b) Secretary of Director of Department
- c) Director of department
- Q8] Is an application rejected if it is not made to the appropriate government department?
- a) Yes b) No
- Q9] What is the Public Information Officer suppose to do if such a wrong application is submitted to him? Please explain.
- Q10] What is the time period for processing an application in case it is submitted to an Assistant Public Information Officer?
- a) 30 days from the day of application.
- b) 35 days from the day of application.
- c) 40 days from the day of application.
- Q11] What is the time limit prescribed if the information sought concerns the life and liberty of a person?
- a) 30 days from the day of application.
- a) 48 hours from the day of application.
- b) 5 days from the day of application.
- Q12] If a Public Information Officer rejects an application, is it compulsory for him to give a reason why he did so, as per the provisions of the RTI Act?
- a) Yes b) No

Q13] If one is unsatisfied with the response of the Public Information Officer, who can the person file an appeal with?

- a) Senior ranked person to the Public Information Officer
- b) Central Information Commissioner
- c) No appeal is allowed

Q14] What is the time limit that has been prescribed for the disposal of first appeal?

- a) 30 days b) 45 days
- c) 60 days

Q15] Is the decision of the Chief Information Commissioner binding?

- a) Yes b) No

Q16] What is the punishment that can be levied on a Public Information Officer for not providing information without a justifiable reason?

- a) Rs. 250 per day till information is provided.
- b) Rs. 150 per day till information is provided.
- c) Rs. 100 per day till information is provided.

Q17] What is the maximum fine that can be imposed on such a Public Information Officer?

- a) Rs. 10,000
- b) Rs.15,000
- c) Rs. 20,000
- d) Rs. 25,000

Q18] If the first appeal fails then a second appeal has to be filed within:

- a) 30 days b) 45 days
- c) 60 days d) 90 days

Q19] Does the RTI Act provide for suo motu disclosure of information by the public authorities?

- a) Yes b) No

Q20] Can a person get personal information about other person under the RTI?

- a) Yes b) No

Q21] Can a person get information which is more than twenty years old

- a) Yes b) No

Q22] Does the person who asks for the information need to also supply a reason why he wants that information?

- a) Yes b) No

Q23] What is the fees to be charged by the Public Information Officer (Central Government Department), per sheet of information asked for?

- a) Rs. 1 a sheet
- b) Rs. 2 a sheet
- c) Rs. 4 a sheet
- d) No charge.

Answers to Set 2

1. a, 2. c, 3. a, 4. b, 5. b, 6. a, 7. a, 8. b, 9. Clarify from applicant by writing to him, 10. b, 11. b, 12. a, 13. a, 14. a, 15. a, 16. a, 17. d, 18. d, 19. a, 20. b, 21. a, 22. b, 23. b

Set 3

Q1] Can a public authority obtain information using the RTI from another public authority?

- a) Yes b) No

Q2] Can one obtain court records under the RTI Act?

- a) Yes b) No

Q3] Can a Public Information Officer also be the appellate authority?

- a) Yes b) No

Q4] Are Cabinet Papers outside the purview of the RTI Act?

- a) Yes b) No

Q5] If there is certain information that harms private interest but is for public interest, can the Public Information Officer furnish such information?

- a) Yes b) No

Q6] Can the Central/State Public Information Officers take the aid of other officers to discharge their duties?

- a) Yes b) No

Q7] As per the RTI Act, is it necessary that records held by a public authority have to be computerised and made accessible to the general public:

- a) Yes b) No

Q8] As per the RTI Act, is it necessary for a public authority to publish information regarding its decision making process and the channels of supervision it has along with the accountability procedures?

- a) Yes b) No

Q9] A public authority has to give details about the manner of execution of subsidy programmes and also the beneficiaries of such programmes.

- a) True b) False

Q10] Besides the initial fees which is required to be given, if there is any additional fees associated with the cost of providing the information, the Central/ State Public Information Officer has to give the details of the fees.

- a) True b) False

Q11] If a Central/State Public Information Officer rejects an application for providing information he has to:

(i) Give reasons for the rejection.

(i) The period within which an appeal against this rejection is preferred.

(ii) The particulars of the appellate authority.

a) (i) and (ii)

b) (ii) and (iii)

c) All

Q12] Is there an obligation for the Public Information Officer to give information, if asked for by a citizen on an issue which may affect the scientific and economic interests of the state?

- a) Yes b) No

Q13] In case a Public Information Officer refuses to give certain information under the RTI, he has to give reasons for the refusal and also details of where the appeal can be filed.

- a) True b) False

Q14] No penalty will be imposed on the PIO if it is shown that he took action in good faith

- a) Yes b) No

Q15] The PIO has the power to know the intention of the applicant in seeking information

- a) Yes b) No

Q16] If the PIO is illiterate, he / she can refuse to accept the request in writing

- a) Yes b) No

Q17] If the applicant does not pay additional fee towards the cost of providing information within the prescribed time limit, the PIO can be penalized for not providing information

- a) Yes b) No

Q18] The documents issued by a Public Authority under RTI Act should have a distinct mark, like a stamp impression, etc

- a) Yes b) No

Q19] If information pertains to life or liberty of a person, the PIO has 72 hours to provide such information.

- a) Yes b) No

Q20] In an appeal hearing, the burden of proof is on-

- a) Person who files appeal
b) Public Information Officer
c) No such burden of proof is required

(Source: A Handbook of Trainers,

Answers to Set 3

1. b, 2. a, 3. b, 4. a, 5. a, 6. a, 7. a, 8. a, 9. a, 10. a, 11. c, 12. b, 13. a, 14. Yes, 15. No, 16. No, 17. No, 18. Yes, 19. No, 20. b

Set 4

Q1] A PIO can also be an Appellate Officer

- a) Yes b) No

Q2] Decisions on grant of partial access to a record is taken by

- a) The PIO
b) The Appellate Authority
c) The Public Authority
d) By an officer of the level of Joint Secretary and above

Q 3] If the information requested relates to the work of several public authorities, the PIO can

- a) reject the application
b) give partial information
c) towards copies of the application to the concerned PIOs
d) give details of PIOs to the applicant to submit applications to them

Q4] If the information sought relates to more than one state, the PIO can

- a) reject the request
b) give partial information

c) refer to the other concerned state (s)

a) Yes b) No

d) refer to the central government

Q12] The Information Commission can summon the Appellate Officer to appeal before the Commission.

a) Yes b) No

Q5] The details about Appellate Officers are required to be published in the Official Gazette

a) Yes b) No

Q13] A public information officer may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.

a) Yes b) No

Q6] While considering an appeal, the Appellate Officer has to consider whether the PIO acted in 'Good faith' or not

a) Yes b) No

Q14] The decision of the Information Commission is final and there cannot be any petition against it before High Court or Supreme Court

a) Yes b) No

Q7] There can be an appeal against the decision of the Appellate Officer

a) Yes b) No

Q15] Can a complaint be made to the Information Commission directly if the Act's provisions are not complied with?

a) Yes b) No

Q8] The Appellate Officer can determine the reasonableness of fee charged for providing information

a) Yes b) No

Q16] Does the act direct the State / Central Information Commission to place the Annual Report which shall contain certain implementation-specific statistics before the Parliament/ Legislature.

a) Yes b) No

Q9] The aggrieved applicant can directly approach the Information Commission, bypassing the Appellate Officer

a) Yes b) No

Q10] The Appellate Officer has the power to impose penalty on PIOs

a) Yes b) No

Q17] If the decision of the Public Information Officer against which an appeal to preferred relates to information regarding a third party, then the IC has to give reasonable opportunity of being heard to that third party.

a) Yes b) No

Q11] The Appellate Officer has discretionary power to accept an appeal preferred after the expiry of deadline.

Q18] The Information Commission has the same powers as those vested in a Civil Court which inquiring into any matter u/s 18

- a) Yes b) No

Q19] The PIO shall have to be present during the proceedings of the second appeal.

- a) Yes b) No

Q20] How is the information which is asked to be supplied?

- a) In the manner the information is sought
b) The manner the Public Information Officer wishes to provide it
c) No fixed format

Q21] What details have to be supplied by the person who requires information from the Public Information Officer?

- (i) Personal Details
(ii) Contact Details
(iii) Reason for wanting information
a) (i) and (ii)
b) (ii)
c) All

Q22] If a person believes that the fees charged by the Public Information Officer is unreasonable, is the Information Commission required to receive and inquire into the complaint?

- a) Yes b) No

(Source: A Handbook of Trainers, C.G.G. 2006: 143-154)

Answers to Set 4

1. No, 2. a, 3. c, 4. c, 5. Yes, 6. Yes, 7. Yes, 8. Yes, 9. No, 10. No, 11. Yes, 12. b, 13. Yes, 14. Yes, 15. Yes, 16. Yes, 17. Yes, 18. Yes, 19. Yes, 20. a, 21. b, 22. a, 23.





Set 5

Q1] Who appoints the Chief Information Commissioner?

- a) Prime Minister
- b) President
- c) Prime Minister, Leader of opposition in Parliament and Cabinet Minister

Q2] What is the term of a Chief Information Commissioner?

- a) 3 years b) 2 years
- c) 5 years d) 4 years

Q3] Who selects the Chief Information Commissioner?

- a) The Prime Minister solely.
- b) The President
- c) The Prime Minister along with a Union member of the Cabinet and the leader of opposition.

Q4] Who does the Chief Information Commissioner or an information commissioner submit his resignation to?

- a) Prime Minister
- b) President
- c) Chief Justice Of India

Q5] Besides the State Chief Information commissioner, what is the maximum number of information commissioners that can be appointed?

- a) 3 b) 5
- c) 7 d) 10

Q6] If the first appeal fails then a second appeal has to be filed within:

- a) 30 days b) 45 days
- c) 60 days d) 90 days

Q7] Is the Information Commission required to publish an annual report?

- a) Yes b) No

Q8] Is the Central Information Commission an autonomous body?

- a) Yes b) No

Q9] The headquarters of the Central Information Commission is located in:

- a) New Delhi
- b) Mumbai
- c) Bangalore
- d) Hyderabad

Q10] Can the Central Information Commission establish offices in other places, if it wants:

- a) Yes b) No

Q11] Who appoints the State Chief Information Commissioner?

- a) The President
- b) The Prime Minister
- c) The Chief Minister
- d) The Governor of the state

Q12] The headquarters of the State Information Commission is to be established by the State Government by notification in the official Gazette.

a) True b) False

a) Yes b) No

Q13] Can the Central/State Information commissions undertake an inquiry on their own, if they feel that there are reasonable grounds to inquire into the matter?

a) Yes b) No

Q14] While inquiring a matter under the RTI Act, can the Central/State Information commissions summon persons and compel them to provide written or oral evidence in the case concerned?

a) Yes b) No

Q15] Can the citizen file a second appeal?

a) Yes b) No

Q16] Whom should he file this appeal with?

- a) Supreme Court
- b) High Court of the State
- c) Central/State Information Commission as the case might be.

Q17] The Central/State Information Commissions should dispose the appeal within how many days?

- a) No time limit
- b) 30 days
- c) 45 days
- d) 60 days

Q18] Does the Central/State Information Commission have the power to require the public authority to compensate the complainant for any loss suffered or other detriment caused?

Q19] Can the Central/State Information Commission reject the application given by the complainant?

a) Yes b) No

Q20] In case a Public Information Officer has not accepted an application without a reasonable cause or has malafidely denied the request of a citizen or intentionally furnished the wrong information, what punishment can the Central/State Information Commission provide?

1. Rs. 250/day till the information is supplied
2. No power to punish
3. Suggest disciplinary action against the Public Information Officer under the service rules applicable to him.

- a) (i) and (ii)
- b) (i) and (iii)
- c) All

(Source: A Handbook of Trainers, C.G.G. 2006: 143-154)

Answers to Set 5

1. c, 2. c, 3. c, 4. c, 5. d, 6. d, 7. a, 8. a, 9. a, 10. a, 11. a, 12. a, 13. a, 14. a, 15. a, 16. c, 17. a, 18. a, 19. b, 20. b

Skill Building: How to Use Right to Information Act?

One of the important parts of training is skill building. It is often said by trainers, 'no skills are learnt without practice'. Apprenticeship is a long method of learning skills. For example, for learning sitar, repairing of scooters/cars or driving of airplanes, the model of learning is practice. Similarly, in training programmes, such methods should be adopted that enhance practicing of skills by learners. Adoption of such methods in training programmes would help participants in using the RTI Act for not only solving problems related to service delivery from government departments but exposing large scale corruption in public institutions as well. We have described here two tools—first tool explains group exercises of filing applications and appeals, while the second tool is a group exercise based on the decisions of Central Information Commission. Such group exercises would also help participants in understanding the nitty-gritties of the Act, which in turn would help them in dealing with government officers who hide behind procedures in denying information to people. Imparting of practical training for use of RTI through these two tools would be very useful to participants.

Before discussing these two tools, it is important to understand the procedures for filing RTI applications and appeals in detail as it will help in carrying out group exercises (as described) in two tools in a comprehensive way.

How to file application:

Section 3 of the Right to Information Act gives the right to all the Indian citizens to access information from the public authorities. A citizen shall submit the application for obtaining information to the Public Information Officer or Assistant Public Information Officer of the public authority. The application should be submitted to the Public Information Officer of the public authority under whose jurisdiction the subject matter of the application falls. The PIOs are the designated officer in all the administrative units or offices of public authorities who have been given the responsibility of providing information to persons requesting information under this Act. In addition, the PIOs must provide all kinds of help to citizens including helping the illiterate or blind in writing applications for obtaining information.

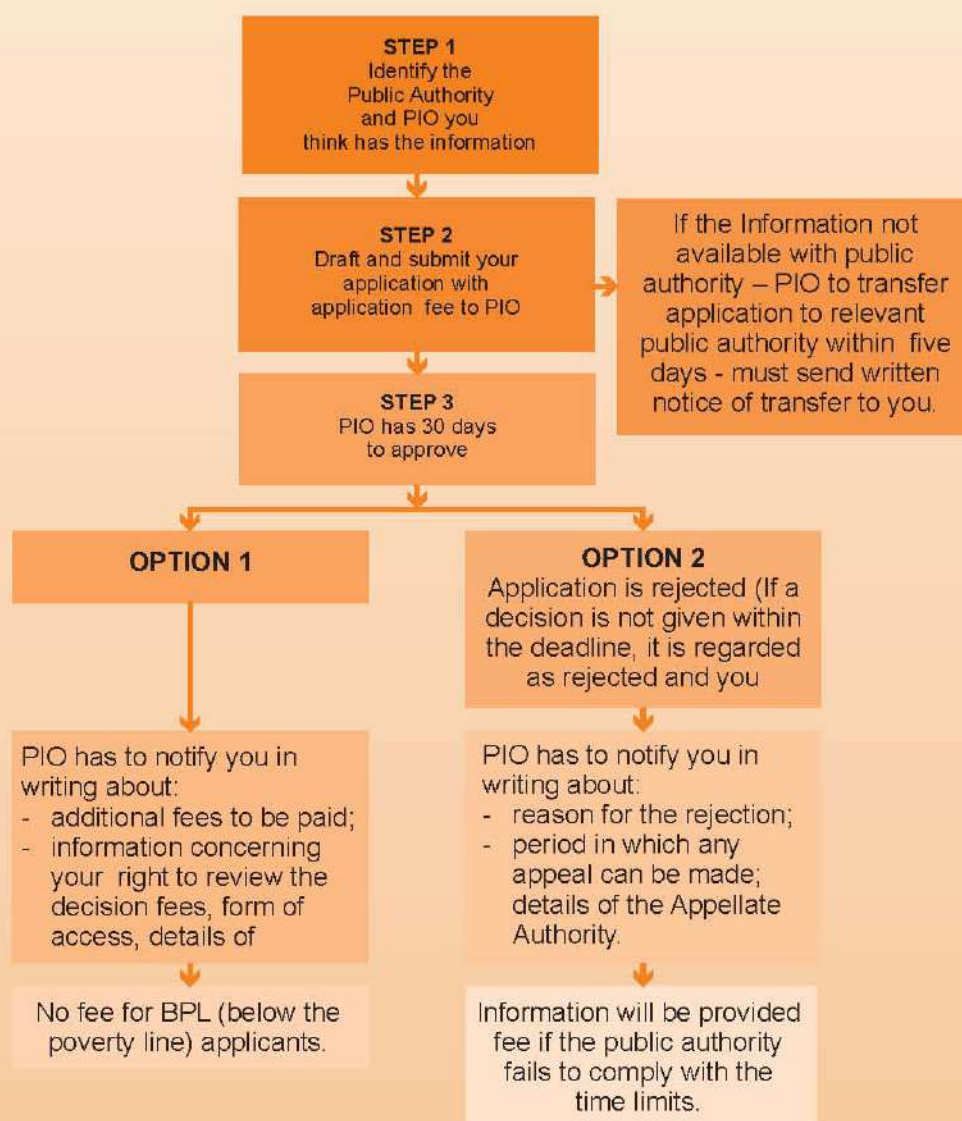
The application procedure for seeking information is very simple and citizen-friendly (Section 6 of the RTI Act). The application can be written in English or Hindi or the official language of the state. Oral requests shall be reduced in writing with the assistance of the Public Information Officer, if the applicant is not literate. The applicant must clearly specify the information, which he is seeking.

The Right to Information Act clearly sets the time limit for disposal of requests by the Public Information Officers, so that citizens do not have to run around the public authorities for information endlessly. Under Section 7 of the Act, information must be

provided to the citizens within 30 days of the receipt of application by the Public Information Officers. But if the information relates to life and liberty of a person, then the Public Information Officers must provide the information within 48 hours. If the PIO does not provide the information asked within the time limits mentioned, the information asked would be treated as being refused, and in such case he can file the First Appeal to the senior officer of the department.

Last but not the least; the application should be accompanied by the necessary application fees as prescribed under the respective state rules. In a large number of states, it can be paid in the form of cash/demand draft/postal order/treasury challan/non-judicial stamp, etc. The application can be made on a plain paper and there is no prescribed form or format for application. The applicant is not required to give any reasons for requesting the information; he is only required to give his contact details/addresses, so that the information sought can be sent to him by the Public Information Officer. The application procedure for obtaining information has made very simple in the Act in order to enable the poor and marginalised to use the Act most.

Flow Chart 1: Appeal Process



How to file Appeal:

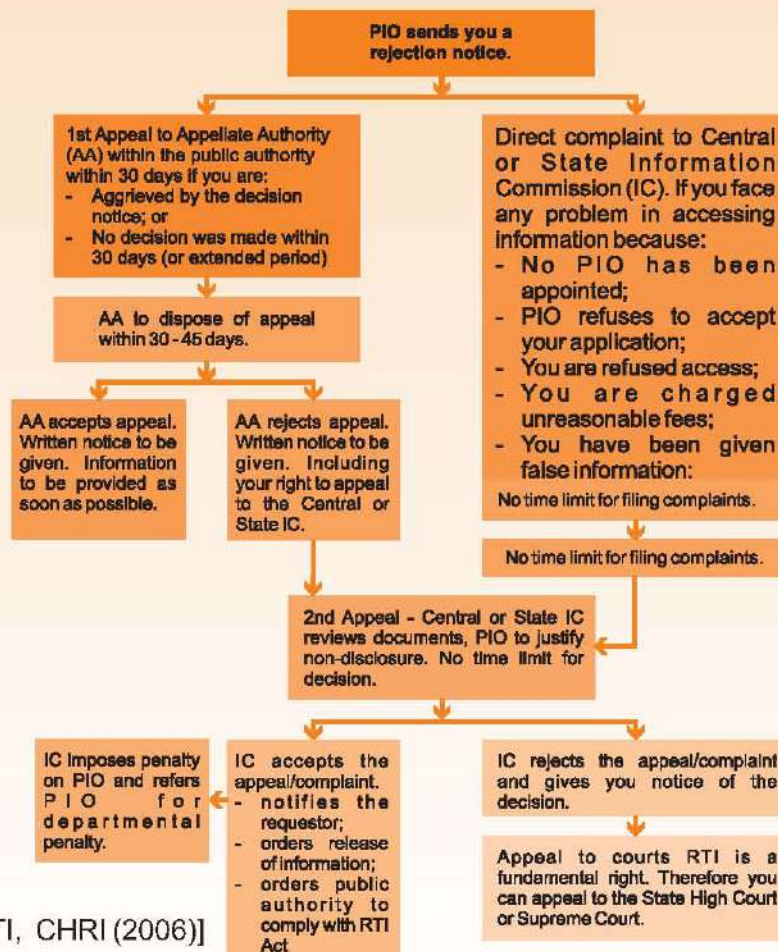
In the event of non-compliance, the RTI Act sets in place the process of First and Second Appeal. Section 19 of the RTI Act provides two steps of appeals against the decision of the PIOs on the request for information by an applicant. An applicant who does not receive the information within the stipulated time or is aggrieved by the decision of the PIOs, can then file an appeal to the First Appellate Authority who is usually a designated senior officer of a government department (public authority where the request for application had been submitted). The First Appeal has to be filed within 30 days from the date of receipt of the decision, regarding refusal of information by the PIO of the Public Authority.

If the applicant is not satisfied with the decision of the First Appellate Authority, then he can file a Second Appeal to the Central Information Commission (CIC) or the State Information Commission (SIC) as the

case may be. This appeal must be filed within 90 days from the date of decision of the Appellate Authority (in the case of First Appeal). There is no time limit which is prescribed under the Act, for disposing the Second Appeal for CIC/SIC.

Besides the provision of appeal, there is a provision of complaints for the applicant as well. If an applicant has not been able to submit the application to the PIO; he has been denied information; his/her information request has not been responded to within the time limit fixed under the Act; he has been charged unreasonable fees by the PIO; he has been given false or incorrect information or he/she faces any other problems relating to obtaining information, then the applicant can file a complaint with the CIC/SIC.

Flow Chart 2: Application Process



[Service:
Guide on RTI, CHRI (2006)]

Tool 7:

Group exercise - how to file applications, complaints and appeals under RTI Act

The objective of Tool 7 is to impart skills of filing applications and appeals under the RTI Act to participants. So, the trainer must explain in detail the procedure of filing applications and appeals as described above to the participants. He/She should use the format of application, complaints, First Appeal and Second Appeal (mentioned in Box 1, 2, 3, 4) for explaining the procedures to them. He/She should draw these formats on chart papers, so that participants can use them in group exercises. He/She should also clarify all their doubts in this session by giving examples from day to day lives like ration, roads, and medicines in health centres.

Box No. 1

Format of Application

APPLICATION FOR INFORMATION UNDER THE RTI ACT, 2005

- To The Public Information Officer/Assistant Public Information Officer
(Address of the Department from which the information is sought)
- (a) Subject matter of the information.
 - (b) Period to which the information relates: month and year.
 - (c) Description of information required, file number, if available.
 - (d) Whether the applicant claims exemption as a below poverty line family. If yes, attach proof.
 - (e) Particulars of Demand Draft/Challan/Indian Postal Order, amount and date.

Sincerely,

(Applicant's signature/Thumb impression)

Applicant's Address: -----

Date: -----

Place: -----

*** This format is suggestive.**

Format of Complaint

Date:

Central/State Information Commissioner
Central/State Information Commission,
(Place)

Sub: Application for Complaint under Section 18 for non adherence of the provisions of the Right to Information Act, 2005.

PIO or the Department against whom the complaint is being made:

Name:

Designation:

Department:

Sir,

I had tried to file an RTI application with the above mentioned department but failed because:

The PIO has not been appointed in the department/the PIO refused to accept my RTI application.

I had sent the application by post but the department specifying the following reasons sent it back to me.

The PIO refused to accept the application fees/the PIO (staff) misbehaved with me.

Please take necessary action, so that the information is provided to me.

Thanking you,

Yours faithfully,

Name:

Address:

Date:

* This format is suggestive.

How to draft the First Appeal

Date:

To

First Appellate Authority

Department:

Ref: My application under RTI Act, 2005 dated --- July 2006.

Sub: Filing the first appeal against the CPIO under Section 19 of the RTI Act, regarding...

Sir,

With reference to my application under RTI Act, 2005 dated _____ July 2006, I have to state that:

1. I filed my application on _____ July 2006. The fee under the RTI Act was paid vide receipt no _____ dated _____ July 2006 to the Public Information Officer, _____ for obtaining certain information regarding...
2. I received the reply from the CPIO on _____, 2006. I am not satisfied with the reply of the CPIO as the said reply is not complete/vague/not related to my application/not clear.
3. Even after the expiry of the statutory 30-35 days as explained in the RTI Act, 2005, I have not received any information so far.

I therefore request you to please direct the CPIO to furnish the information to me at the earliest. As the information is not received till date, the CPIO may also be directed to furnish the information for FREE as provided in the RTI Act, 2005.

I would also like to request you to inform me the date and time of the hearing of the matter which, I want to either personally attend or being represented by my duly authorised representative.

Thanking you,

Name:

Address:

Phone No:

* This format is suggestive.

Second Appeal

Date:

To

The Central/State Information Commission
Address

Sub: Appeal under Section 19 of the RTI Act, 2005

Name and address of the applicant:

Name and address of the PIO:

Information Sought: RTI application attached

Reply Received: Attached (if reply received) or Public information officer had not given any information.

Brief fact of the appeal: Order of the Appellate Authority

Grievance against the reply of Appellate Authority: Aggrieved, I filed the first appeal on..... The Appellate Authority did not give any hearing in the matter.

Prayer Sought: The CPIO should be directed to provide all the information sought in the initial application within a week, and impose the penalty to the PIO under Section 20(1). And also under Section 20(2) action will be taken against the Public Information Officer.

Request to the Commission: I would urge that I should be intimated about each hearing at the Commission. I would also like to be present in each hearing.

Verification: Verified the contents of this appeal on the ____ day of _____, 2006 in Delhi.

Yours truly,

()

Enclosed herewith:

Copy of the RTI application

Copy of the receipt of the application fees

Copy of the reply received from the PIO

Copy of the order of the first appellate authority

* This format is suggestive.

The participants are, then, divided into five groups and the size of each group should be between four to six members. If the size of the group is more than six, then more groups should be formed. It is important to limit the size of each group in order to facilitate learning by practice; otherwise there are chances that some participants may not be able to participate in the group exercises.

Each of the five groups is given a task, which is mentioned below:

Group 1: Filing applications under RTI to the Public Information Officer of health/education/public works department/irrigation/horticulture, etc. of their district. The application can be related to issues which affects the community or individually. For example, lack of medicine and absence of doctors in health centers; absence of teachers in village schools; expenditure details of construction activity in schools, expenditure incurred on roads in their locality; beneficiaries who received plant from horticulture departments, etc.


Group 2: Inspecting the records of any department under the RTI Act. The departments can be health/education/public works department/irrigation/horticulture, etc. of their district. Participants of this group would like to inspect the records/files of a particular period of any department. For example, these records/files can be related to a list of beneficiaries in Indira Awas Yojana; a list of students who got scholarships from schools; expenditure details of roads and drains constructed in their locality, etc.

Group 3: This group will file the First Appeal with any department. This group will explain its case by beginning with why the application for information was rejected by the Public Information Officer and what it wants from the First Appellate Authority. This group can take up any issue in the First Appeal.

Group 4: This group will file a complaint with the State/Central Information Commission. This group will explain the reasons for filing the complaint and it should also clearly specify what it wants from the State/Central Information Commission. This group can take up any issue in the complaint.

Group 5: This group will file the Second Appeal with the State/Central Information Commission. This group will explain the reasons for filing the Second Appeal and it should also clearly specify what it wants from the State/Central Information Commission. This group can take up any issue in the Second Appeal.

All groups are asked to write their tasks on chart papers and select one representative who is going to make the presentation for each group. All groups are given 90 minutes to complete the task.



Each group is asked to review the charts of the other groups and write down the mistakes committed by the other groups while doing their tasks. They should compare the charts prepared by other groups with the formats provided in the boxes. The trainer should also take down points trying to find out whether each group has followed the procedure as mentioned in the RTI Act. This part of the group exercise should be completed in 30 minutes.

Thereafter, the representative from each group makes the presentation. Other participants can seek clarifications mainly referring to any procedure or missing detail. This part of the group exercise should be completed in 60 minutes.

In this way, all the participants learn about the procedure of filing applications, appeals and complaints.

Tool 8:

Group exercise -Analyzing decisions of Central Information Commission

The objective of Tool 8, 'Group exercise—Analysing the decisions of the Central Information Commission' is to make participants aware of the nitty-gritties of the RTI Act. This group exercise also helps in comprehensive understanding of the RTI Act.

Tool 8 will be specifically relevant for government officers, civic leaders and activists, as they need to have a good understanding of the RTI Act because they guide people in filing applications, complaints, and appeals. All the cases mentioned in Box. No. 5- 9, are the real cases, which have been, deliberated by the Central Information Commission and decisions in these cases have been by the Commission.

In this group exercise, participants are divided into five groups and the size of each group should be between four to eight members. Each group is given the task of discussing two cases mentioned in boxes and answer the question given at the end of each case. So each group will be deliberating on real cases and giving decisions on them. A time limit of 45 minutes is to be allocated for completing this part of the exercise.

Then a representative from each group makes a presentation of the cases discussed and decisions taken by it. Other groups then get the chance of giving their opinions on the decisions made by this group. Thereafter, the trainer gives his opinion and reads out the decisions made by the Central Information Commission provided in Box No. 10. This exercise is then repeated for other four groups. A time limit of 90 minutes is allocated for completing this part of the group exercise.

Box No.5

Group 1

Case 1: Sat Prakash applied for information concerning the deliberations of the Committee of Secretaries on the proposal to set up Special Economic Zones (SEZs) in the UT of Daman & Diu. He was denied the requested information by the concerned public authority saying that such information was contained in the file notings of the files of the Group of Secretaries.

He challenged this decision. Can such information be denied to him?

Case 2: Gurbachan Singh, an army ex-serviceman, applies to the Army Headquarters for information pertaining to appointment and charge sheeting of another army man.

He was denied the information sought by the concerned public authority saying that the information asked by him was no longer available as it was contained in records/files which had been destroyed as per departmental rules, according to which records are destroyed after a maximum period of preservation of records (in this case 10 years).

Was the Army authority correct in denying him the information?

Group 2

Case 1: P.D. James, a retired employee of the Railways department, sought information from the department in the nature of inspection of all Dak registers of the department from a particular date as also the General Dak Register. The department refused to provide him access to such information saying that the information asked was vague and not to the point.

He challenged the decision. Decide.

Case 2: Ms Sangeeta employed in the Electronics and Computer Promotion Council of India, applied for information relating to her promotion and career advancement. The particular organisation was substantially funded by a department of Central Government and was also under its administrative control.

The organisation contended that it was an autonomous body and was under no duty to provide her with the requested information as it was not a public authority as per the RTI Act.

She challenged the decision. Can she succeed in her appeal?

Group 3

Case 1: Veena, a citizen residing in XYZ ward asked for information from the City Corporation, regarding the names and designations of the engineers deployed by the Corporation and their responsibilities as allocated by the Corporation. The Corporation accepted to provide her with the said information but asked her to deposit further fees for supplying such information.

She contended that she should be provided such information free of cost as this information was in any case supposed to be provided under proactive disclosure, by the Corporation.

Decide whether she can succeed in her appeal?

Case 2: Mary an uneducated woman wanted information on the age-old pension scheme of the Government and came to the District Welfare Office (DWO) to help her in getting this information. She was also ready to pay the application and further fees to obtain this information. However, she was turned down by the PIO of the DWO and told that she should approach the office with a written and properly framed application. Not only this, the PIO misbehaved with her.

Was the PIO of the District Welfare Officer right in turning her away and asking her to come with a properly drafted application to get the information asked by her?

Box No.8

Group 4

Case 1: Wendy applied to the Government of India for the report of the Enquiry Committee set up to probe the assassination of the Prime Minister of India submitted to the Government 22 years before. The Supreme Court had expressly prohibited the public disclosure of such information.

The Government told Wendy that since the Supreme Court had expressly prohibited the public disclosure of the information asked, it could not be provided to him as per Section 8(1) (b) of the RTI Act.

Was the Government right in refusing to provide him with the information sought?

Case 2 : Gyanendra an employee of a public sector company, applied for information in respect of prosecution of another employee, Manmohan, who was acquitted, while he was convicted based on the same charges.

The PIO of the public sector company refused to provide him with the requested information, saying that the information was related to a third party and the concerned third party had refused information disclosure about itself. Therefore according to the RTI Act, the applicant cannot be provided with the requested information.

Was the PIO right in refusing to provide him the information? Decide.

Box No.9

Group 5

Case 1: Ram Prakash applied for information under the RTI Act regarding the meter readings for his electricity connection from the Electricity Department on July 1. In order to be provided this information the PIO informed him on July 3, that he should deposit a further fee of Rs 25/-.

He deposited the said amount on July 6. He was provided the requested information on August 2, that is, after more than 30 days from the date of application. Ram Prakash filed a complaint with the State Information Commission that due to delay in providing information beyond the period of 30 days by the department, he could not file a court case against the department.

Answers to the group exercises

Group 1

Ans. Case 1: No, the information sought cannot be denied to him. In the case of Satyapal vs. CPIO, TCIL, the Central Information Commission held that as per Section 2(i) of the RTI Act, a record includes a file and in terms of Section 2(j) of the RTI Act, the right to information includes access to a record.

Therefore an applicant under the Right to Information Act has the right to access a file and file notings are an integral part of any file, which are not exempt from disclosure.

(Appeal No.ICPB/A-1/CIC/2006, dated 31/1/2006)

Ans. Case 2: No, the information requested cannot be provided to him. In the case of Gurbachan Singh vs. Lt. General, Army Headquarters, the CIC held that as per Section 2(j) of the RTI Act, there is no obligation on any public authority to provide non-existent information.

The CIC further held that in case any information is no longer available due to departmental rules for destruction of old records, then such information cannot be provided to an applicant under the RTI Act.

(Appeal No.CIC/AT/2006, dated 23/3/2006)

Group 2

Ans. Case 1: The CIC in the case of S.K. Ranga vs. Container Corporation of India Ltd. held that as per the provisions of Sec.2(f) of the RTI Act, an applicant under the RTI Act, should clearly specify the nature of information he/she wants to access from any public authority..

Therefore P.D. James should clearly specify which particular Dak Registers he wants to access.

(Appeal No.CIC/OK/A/2006/00260, dated 2/1/2007)

Ans. Case 2: Yes, she will succeed in her appeal. In the case of Navneet Kaur vs. Electronics & Computer Promotion Council of India, the applicant had applied for information regarding her suspension from the 'Council, which though autonomous was substantially funded by the government.

The CIC held that since the organisation was substantially funded by the Central Government and was also under its administrative control, it was a public

authority for the purposes of Section 2(h) of the Right to Information Act 2005.

Therefore, Ms. Sangeeta will succeed in her appeal to obtain the requested information.

(Appeal No. ICPB/A-8/CIC/2006, dated 22/3/2006)

Group 3

Ans. Case 1: In the case of Seema Bhattacharya vs. Deputy Commissioner, M.C.D, the CIC held that if a particular information is asked by an applicant under the RTI Act and the information sought is such as that it is required to be proactively disclosed by the public authority, as per Section 4(1)(b) of the RTI Act, then such information should be provided free of cost to the applicant.

In the above case therefore Veena will succeed in her appeal and should be provided the information asked by her free of cost because the Corporation is duty bound to provide information on the names and designations of the engineers employed by it as proactive disclosure information.

(Appeal No. CIC/WB/C/2006/00182, dated 29/6/2006)

Ans. Case 2 : In the case of Dashrathi vs. Food & Civil Supplies Department, Delhi, the CIC held that as per the provisions of the RTI Act, in Section 5(3), the PIO of any public authority should render all possible help to an applicant under the RTI Act. It is also the duty of the PIO to help illiterate persons in reducing their requests for information in writing and provide them the requested information, subject to the provisions of the Act.

The CIC further held that misbehavior with applicants cannot be tolerated. Therefore, the PIO of the District Welfare Office committed violation of the RTI Act, by turning Mary away. He ought to have provided her with all possible assistance to help her in getting the information she needed.

He should also have drafted her application according to what information she wanted.

(Complaint, No. CIC/WB/C/2006/00145, dated 10/8/2006)

Group 4

Ans. Case 1: In the case of S.R. Pershad vs. Directorate General of Supplies & Disposals, the CIC held that according to Section 8(3) of the RTI Act 2005, the exemptions from disclosure of information contained in Section 8(1) of the RTI Act cannot apply, if the information asked relates to a matter, which happened 20 years before the date on which a request is made under the RTI Act.

(Appeal No.37/1CPB/2006, dated 26/6/2006)

Ans. Case 2 : The PIO was wrong in refusing to provide Gyanendra with the requested information. In the case of K.K. Mahajan vs. Cantonment Executive Office, the CIC held that the Right to Information Act does not give a third party an automatic right to refuse disclosure of information about it.

A public authority, which is in possession of third party information, is required to evaluate a third party's case in terms of provisions of Section 11(1) of the RTI Act.

According to Section 11(1) the PIO should see that whether disclosure of information about the third party would be in public interest. If the public interest outweighs the harm to the third party, then information about the third party should be disclosed to an -

applicant seeking such information, under the RTI Act.

In the case of Gyanendra, the public authority cannot refuse to disclose information about Manmohan, simply because he has asked the public authority not to disclose information on him. The public authority must evaluate the case on the basis of public interest.

(CIC/AT/A/2006/00014, dated 22/5/2006)

Group 5


Ans. Case 1: Ram Prakash cannot succeed in his complaint. In the case of Ram Chander Singh vs. Delhi Jal Board, it was held by the CIC that in counting the period of 30 days from the filing of an RTI application, the period between intimation to deposit further fees and the its payment by the applicant, is excluded as per Section 7(3)(a) of the RTI Act, 2005.

The 30-day limit for providing information is not absolute and the period of 30 days stops till the time the applicant deposits further fees.

(Complaint No.CIC/WB/C/2006/00301, dated 30/12/2006)

Ans. Case 2: Yes, the PIO of the public authority, SSC can refuse the disclosure of such information. In the case of George Paul vs .B.S.N.L., the CIC held that there is a fiduciary relationship which exists between the examiner and the examinee.

It further noted that disclosure of such information would amount to violation of Section 8(1)(e) of the RTI Act, according to which there is no obligation on any public authority to give information available to a person, in his fiduciary



relationship unless the public authority is satisfied that the larger public interest, justifies the disclosure of such information.

Therefore the public authority was justified in refusing Pal access to his answer sheet.

(Appeal No.38/ICPB/2006, dated 29/6/2006)

Tool 7, 'Group exercise—How to file applications and appeals' and **Tool 8**, 'Group exercise—Analysing decisions of Central Information Commission' can be very useful for skill building of participants. These two tools consume a lot of time. For example, it may take nearly three and a half hours to complete Tool 7 and two and a half hours to complete Tool 8 but the learnings from them are substantial. The trainer should use any one of the two tools in skill building sessions. He can make the selection on the basis of the learners need, their profiles and availability of time.



MOTIVATING CITIZENS TO USE RTI

Skill building sessions practically equip participants in using the RTI Act. But it has been observed that participants use the Act once or twice for personal use, after which they tend to relax. They are not keen to pass on the knowledge to other sections of society who did not have the benefit of attending training sessions on RTI. They are also not enthusiastic enough to file RTI applications on public issues like corruption in construction of roads, absence of teachers from schools and doctors from health centres. Hence efforts should be made to sensitise them on social issues. The tools discussed in this chapter are a step in this direction. Tool 9 uses the method of case studies discussion in order to motivate participants. The cases are real and they have been selected from different regions of the country. The case studies have been divided into three sections; Section 1 highlights success stories on RTI, Section 2 focuses on constraints in using RTI and Section 3 describes in brief three films on RTI.

In Section 3, the films on RTI are shown to participants and they are given the task of discussing the film in their group. Films of Parivartan, Majdoor Kisan Shakti Sangathan (MKSS) and Kabir have been described here and questions around which the case study discussions have to take place have been mentioned. Though what is to be discussed in a group is to be decided by the participants but the trainers can prompt the participants to discuss these issues as well. Tool 9 demonstrates how case study discussions facilitate learning in a group. It has often been observed that films are shown in training programmes but no discussion is facilitated thereafter. As a result, participants do not discuss the issues of the film among themselves; there is no learning and brain storming on governance problems and ways to solve these problems in the group. It is just a film session for participants. Trainers can use films other than described in Tool 9, but they should ensure that group discussions follow the films.

Tool 10 uses the method of small group discussions for sensitising participants. It can be an important medium of drawing out personal experiences of participants in the use of RTI in their locations. It conveys to participants that experiences in case studies/films is similar to their experiences and provides space to them to discuss these with others. In such groups, reflection on solving governance problems may also start.

Before discussing the case studies and films in detail, it is necessary to discuss theoretical and practical aspects of the case studies and initiate small group discussions so that the trainers are able to use it effectively.

Tool 9:

Case studies discussion

What is a Case Study?


'In the case study method, others' experiences are provided to the group in the form of a case. These experiences are reflected upon and analysed by the learners to derive new principles. The learner's own experiences, values, feelings form the basis for analysis of others' experiences. Case studies may be presented in written or verbal form or even through the medium of films or songs, depending upon the background and levels of the learners. (Participatory Training 2002: 67)

Why is the case study needed?

- ♦ It can be used to convey complex theoretical concepts in a simple way.
- ♦ It allows the group to reflect on the study's suitability in their situation.
- ♦ Complex situations can also be discussed.
- ♦ It sharpens learners' analytical and diagnostic skills.
- ♦ It exposes learners to situations they might not ordinarily experience in their own lives.
- ♦ It exposes learners to similar experiences elsewhere to enable them to feel a sense of solidarity and validation.
- ♦ It helps in creating new knowledge through collective reflection, analysis and synthesis.

Advantages	Disadvantage
<ul style="list-style-type: none">♦ It is simple♦ It can be used with illiterates and relatively unsophisticated people.♦ It can be used for cognitive learning too.♦ It is a low cost and culturally appropriate medium.	<ul style="list-style-type: none">♦ It may be difficult to find an appropriate case study.♦ The case study may be too general to focus on a specific issue.♦ Case studies written by some one else contain the writer's perceptions, feelings and ideologies which may lead to distortion of the objective reality.♦ Hypothetical or prepared case studies may be too idealistic.

(Participatory Training 2002: 67)



How is the case study used?

- ✦ Present the case study to the group.
- ✦ Divide the group into smaller groups and give them the task (question).
- ✦ Allow individuals to reflect and discuss.
- ✦ Debrief and consolidate.

Case Study Discussion- how to organize it?

The trainer can divide participants into four/five groups. The size of the group can be between five to eight members. Each group can be given one case study from Case Studies Discussion 1: Common man uses RTI, and one case study from Case Studies Discussion 2: Constraints in the use of RTI. The duration for discussion of the two case studies is 45 minutes. Case studies Discussion 3 has three films; the trainers may use either Case Studies Discussion 1 or 3 depending upon the resource availability for training programme. Showing films would require projectors, sound box and lap tops which might not be available in all training programmes. In such circumstances, the trainers should use Case Studies Discussion 1. Both the tools serve the same purpose, so trainers can choose any one.

While discussing case studies from Case Studies Discussion 1 and 3, each group must be given the following tasks:

- ✦ Identify the problem which has been solved through RTI.
- ✦ Is the problem related to personal or community issues?
- ✦ Was it solved through individual or collective effort?
- ✦ Do you think RTI can solve any problems faced by you or the community? If yes, discuss the problem in groups.

While discussing case studies from Case Studies Discussion 2, each group should complete the following task:

- ✦ Identify the problem which the individual is trying to solve.
- ✦ Were the officials afraid that release of information might expose their malpractices?
- ✦ Did the officials try to harass the RTI applicant? If yes, describe.
- ✦ Was the RTI applicant disheartened by the harassment? Did he give up in end, letting officials have the final say?
- ✦ Did any of you have similar experience? How did you deal with it?

After discussion of the case studies in their group, each group is given 15 minutes to make a presentation and the other groups can ask questions related to the presentation.

Small Group Discussion - how to organize it?

This is the most commonly used method in structured experiences because a small group discussion (SGD) uses learners' past experiences in a very deliberate manner. In this method the learners are divided into groups and given a real life situation or relevant subject matter or a question to discuss. The learners on the basis of their own past experiences, attitudes and values carry on this discussion. They then arrive at new knowledge and new insights. (Participatory Training 2002: 66)

Why are small group discussions used?

- ♦ This method can be used for sharing information and experiences.
- ♦ This method provides an opportunity to learners to use their knowledge and experiences.
- ♦ This method promotes collective analysis and reflections.

Advantages	Disadvantage
<ul style="list-style-type: none">♦ It allows the learners to be in control of the pace, content and focus.♦ It provides opportunities for the learners to express themselves.♦ It allows the learners to validate their knowledge and skills.♦ It allows learners to clarify, reflect and reconfigure their experiences.♦ It helps in promoting a sense of belonging in a group.♦ It can be empowering once the learners realise their own ability for critical thinking and change through this medium.	<ul style="list-style-type: none">♦ It is time consuming.♦ If facilitation is poor then the process may lead to unexpected ends.♦ There is a possibility that dominant or aggressive members may take over the process.♦ Members might not be serious and that affects the quality of the discussion.♦ It requires more space to accommodate different groups.♦ In mixed gender groups, women may be ignored.♦ The trainer needs special skills to facilitate, debrief and summarise the discussions.



(Participatory Training 2002: 66)

*Case study
discussion
in Haryana*



How are small group discussions conducted?

- ♦ Clarify the group task and specify the time and the form of presentation.
- ♦ Divide the large group into small groups.
- ♦ Let the groups discuss (through sharing and analysis) the matter under consideration for the stipulated time.
- ♦ Let all the groups reassemble into a large group.
- ♦ Let one or two individuals from each group present their discussion to the large group.
- ♦ Add any relevant points that you feel have been left out and use the group presentations to arrive at a theoretical framework.

Debriefing and Consolidation

Capacity building sessions based on experience learning situation like case studies discussion and small group discussion should be followed by debriefing and consolidation. If learners have gone through some moderate to intense emotional experience, it is necessary to allow them some time to get out of emotional situation; otherwise they might feel disturbed or get too involved. (Participatory Training 2002: 75)

Facilitators / trainers should ask following questions from trainees in debriefing session.

- ♦ What did you see in the film? , What did you say during group discussions?, How did you feel in case studies discussion? For example, what were main issues / problems in the case study? Who noticed the problem first? How was the problem solved? What were threats faced by RTI applicants? Was the problem solved with the help of RTI? (These questions help in bringing about participants perceptions and experiences. The information gathered must be noted down on a board or chart paper)
- ♦ Why did you feel the way you did? What did you say? What did you do during discussions? For example, Do you feel that citizen had taken correct step by using RTI?, What were your feelings about examples of corruption, threats on RTI users in case studies? How can the problems of corruption and non-accountability tackled in the country? Is RTI offering a way out?(These questions enable participants to analyze the reasons and causes behind behaviour, perceptions and experiences.)
- ♦ Do such situations occur in real life, when?, Has it happened to you? For example, have you faced similar situation in real life? When and how did you deal with it? (Question like these try to relate the experiences faced in group exercises with reality and try to draw parallels with real life)

Trainer must put information gathered in the debriefing session into real life context, so that trainees can identify with it. He / she must provide additional information, which can be experiences from different locations of the country. These experiences of trainers should provide a road map / action plan / motivational story to take Right to Information among people and promote its widespread use.

Case Studies Discussion 1: Common man uses RTI

Box No.11

One woman, 901 ration cards: Delhi's great scam

At least 10 per cent ration cards in the national capital are bogus and many are held by people who are anything but poor, a prominent Right to Information activist has claimed.

As many as 1, 70, 598 ration cards in the city are bogus, says Arvind Kejriwal. His investigation found that multiple cards have been issued for the same addresses and same persons. For instance, 901 cards have been issued in the name of a woman called Manju in Badarpur, New Delhi. In fact, 133 people in Badarpur have more than 15 ration cards each. Najafgarh was found to have the maximum number of bogus cards at 17,016 followed by Mahipalpur at 12,611 and Bawana at 11,887.

Kejriwal alleged that ration shop owners, who are part of a citywide racket, are in the possession of bogus cards. "All this indicates involvement of bigger players—there is one person who actually owns these shops and he has put others as the face," Kejriwal spoke at a press conference.

Kejriwal claimed that rations were regularly drawn on these cards. Based on the standard allowance of 25 kg of wheat and 10 kg of rice per card, two lakh tonne of wheat and 82,000 tonne of rice may have been diverted on these cards in the last four years. By conservative estimates, it means subsidies amounting to almost Rs 257 crore were siphoned off. The Government admitted that it knew about the scam. "We knew about this diversion. Diversion in the public distribution system is a known fact," said Delhi Food and Civil Supplies Minister Haroon Yusuf.

Source: IBN Live, July 8, 2008, as quoted in www.indiarti.blogspot.com

Box No.12


RTI reveals misuse of CM Relief Fund in Maharashtra

Shocking details of violations in the Chief Minister Relief Fund, now open to public scrutiny, have been revealed. Not only was the fund, meant for relief and aid during calamities, used for trivial ventures like cricket matches, documents from an RTI application show that the sanctions were given despite strong objections from state bureaucrats.

Huge amounts of money have been diverted from the fund in Maharashtra for trivial reasons like cricket matches, by violating the fund's bylaws.

Documents retrieved through an RTI application show that money from the fund was diverted by former Chief Ministers Manohar Joshi and Sushil Kumar Shinde even though officials strongly advised against it.

In 1997, Manohar Joshi sanctioned Rs 5 lakh to the Press Club of India, even though it didn't fit with the fund's objectives. In 2003, Sushil Kumar Shinde gave Rs 10 lakh for a Gandhi Film Foundation documentary though it was a commercial venture. The next year, he sanctioned Rs 5 lakh for a cricket tournament though enough had been spent on non-calamities that year.



"Money has been sanctioned just because the CM made some announcement somewhere although it does not fit in with the objective of the fund," said Shailesh Gandhi, an RTI activist.

The RTI also details a government order in 2001 that made the fund open to non-calamities. And this cleared the path for diverting the CM's fund.

The government might have covered its bases by bringing out GRs making the fund free for all. However, the feeling of being taken for a ride will make well meaning citizens think twice before donating to this fund ever again.

Source: NDTV, Friday, May 23, 2008

Box No.13

RTI exposes financial irregularities in co-op bank

The Right to Information (RTI) Act has brought to the fore financial bungling worth approximately Rs 42 crore committed by the employees of Sitapur Cooperative Bank Ltd., Uttar Pradesh. The bungling is shown in the special audit report for the period 1989-90 to 2005-06.

The information has been provided by the office of the District Assistant Registrar, Cooperative Societies, Uttar Pradesh, Sitapur. An application addressed to the Public Information Officer (PIO)/District Assistant Registrar Khalik Ahmad, in October 2007, had sought information on the total embezzled amount; misappropriated amount and irregular amount shown in the special audit report from the year 1989-90 to 2005-06 in the District Cooperative Bank Ltd., Sitapur (headquarters).

The applicant had sought details about the action taken against the officers and staff held responsible in the special audit report for the mentioned time period. Ahmad had also asked the PIO to provide information about the names and designations of officers and staff against whom a FIR was registered or any departmental action was initiated.

The information released by the PIO in November 2007, showed embezzlement worth Rs 57,201,142.71, misappropriation worth Rs 25,27,91,306.41 and irregular amount to the tune of Rs 10,61,55,390.08, for the bank as pointed out in the special audit report for the years 1989-90 to 2005-06.

RC Dubey, PIO, has also revealed that a FIR was registered against six officials and the services of three of the employees were terminated. Ahmad, in his application, had also asked for certified photocopies of the special audit report for the said period.

"I have not got the copies yet and now I have submitted an appeal in the Commission to ask the department concerned to provide me the copies of the report", said Ahmad. The date of hearing into the matter was fixed for July 8, 2008.

(Source: The Times of India, June 28, 2008)

Tribals get permission for weekly haat: Jamtara, Jharkhand.

Chandradeepa is a village near Jamtara, which comprises 12 hamlets, but there is no market or Haat in and around the village. The people of Chandradeepa have to buy and sell their goods at markets in Mihijam or Jamtara, which are around 10 to 15 km away from Chandradeepa. A meeting of the Gram Sabha was called in November 2005 to discuss this issue. During the discussion in the Gram Sabha, the need for a weekly Haat was felt in the village. Due to the lack of a Haat, the villagers were facing many problems in their daily routines.

A weekly Haat in their village itself would solve most of their problems and would also make them financially sound. During the meeting, a Haat Committee was formed in the Gram Sabha, which was entrusted with getting permission for a weekly Haat, (which included a place for the Haat, the site map of the place, day on which the Haat would be organised, etc.) from the concerned authorities. A proposal was submitted to the Tax and Revenue Department, Jamtara, along with the consent and signatures of 60 villagers. The department however refused to grant permission for organising the weekly Haat.

PRIA had conducted an RTI campaign in various villages of Jamtara. In Chandradeepa, villagers were aware about the RTI, which could be used as a tool to find solutions to personal problems. As a result, Mr. Shamsuddin Ansari, who was appointed the Secretary of the Haat Committee, took the initiative to file an application under RTI. He drafted an RTI application regarding the issue and also attached a Xerox copy of the application for organising the Haat and submitted it to Mr. Gaurav Mukherjee, the APIO of Jamtara on January 22, 2007. After 21 days, the Circle Officer of Jamtara Mr. Ashok Kumar Jha took action. He called Mr. Shamsuddin Ansari to his office and accepted the departmental responsibility for refusing the proposal sent by the Haat Committee. He sent a Circle Inspector and one of the staff members for an inspection of the proposed place where the Haat would be situated and took the villagers' signatures for a no objection certificate. He then prepared a report and forwarded it to the Assistant Commissioner so that he could grant permission for the organisation of the weekly Haat.

The Assistant Commissioner agreed to grant permission for the Haat with some modifications related to the proposed site for the Haat, as it was classified as 'grazing land'. This was resolved by a meeting of the Gram Sabha. The above case study shows that RTI can bring accountability in government departments about their work. Cases which fail due to sheer callousness can be promptly resolved.

Source: Jharkhand State Report; 2007-08, PRIA

**Physically handicapped woman gets entitlements:
Jamtara, Jharkhand**

Ms. Rita Badyakar is a physically handicapped woman of Chandradeepa Panchayat of Jamtara district. She submitted an application to get stipend under "Swami Vivekanand Powerless Encouragement Scheme" on February 19, 2007 to the Welfare department but she could not get stipend as well as information about her application. At a one-day RTI camp organised by PRIA-Jamtara on May 15, 2007 at Chandradeepa Panchayat

she received all the necessary information regarding the Act. The citizen leader took interest and supported her in writing an application under the RTI Act. She filed an application under RTI and asked for information related to her application filed in Social Welfare department like the daily progress report on her application from February 19, 2007 to May 15, 2007, what process the department followed to solve such matters and provide conduct rule copy. She also wanted the name of the official responsible for the delay and how the department would punish him or her. When she went to the office to submit this application, the officials were surprised about the content of the application and the department took prompt action and provided all the information related to her application for stipend within an hour and forwarded the case for further action.

Source: Jharkhand State Report; 2007-08, PRIA.

Box No.16

Reduction of exorbitant electricity bills through RTI, Rajnandgaon, Chhattisgarh

Shri Shiv Nath Sinha, resides in Gram Panchayat Samerbandha that comes under Ambagarh Chauki block of Rajnandgaon. Mr Sinha was surprised when he received the electricity bill worth Rs. 930/- from CSEB (Chhattisgarh State Electricity Board) in March 2007. Mr Sinha has a single bulb of 60 Watts, which he uses only during the night which means four to five hours of electricity consumption. He was unable to understand how this amount could have been printed, as his average electricity bill till date was Rs. 50-60/- per month. He complained to CSEB but nobody in the department listened to him.

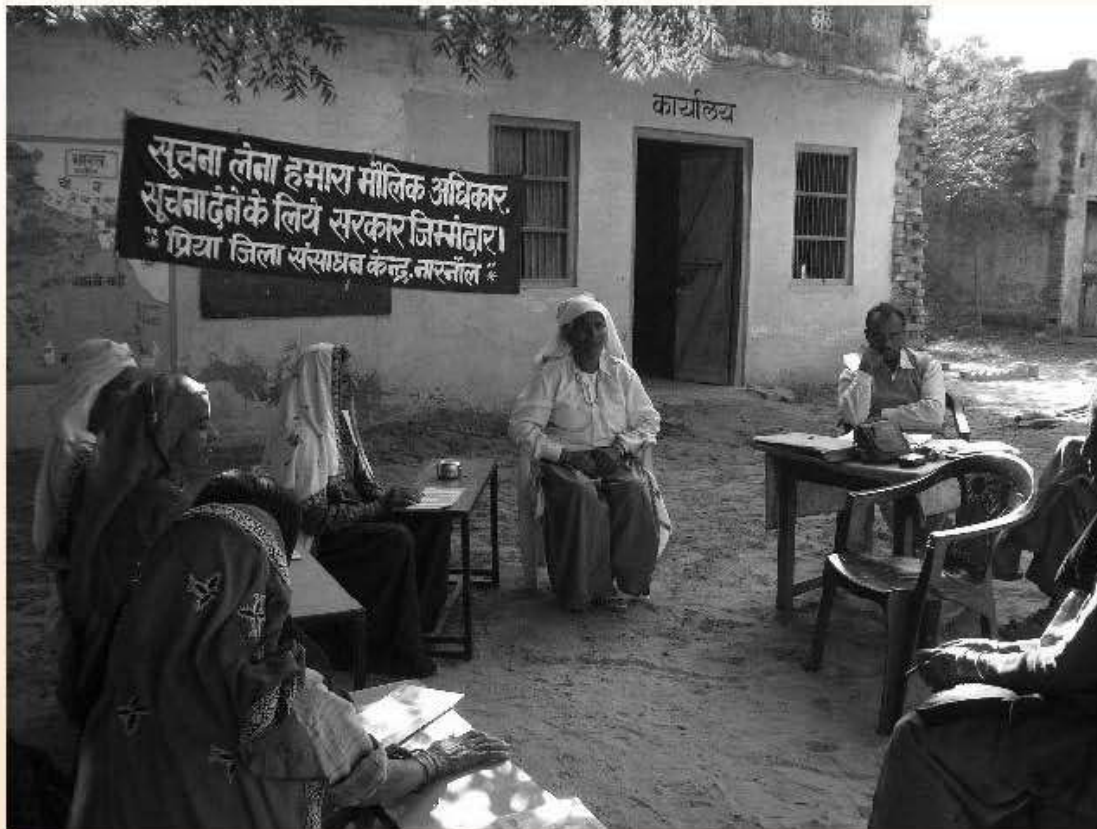
He came to know about the camp, which PRIA had organised in Samerbandha Gram Panchayat, and he visited it. In that camp he shared the entire episode. After a brief discussion with the PRIA staff, he wrote an application on June 21, 2007, to the CSEB under RTI. The RTI application had immediate impact, and the department promptly replied on June 22, 2007, accepting its fault and his bill was reduced to Rs. 372/-.

Source: Chattisgarh State Report; 2007-08, PRIA.

Box No.17

Sarpanch gets her dues after ten years, Rajasthan

Mohini Devi is a resident of Sonasar Panchayat in Alsisar Panchayat Samiti of Jhunjhunu district in Rajasthan. She was the Sarpanch of Sonasar Panchayat during her tenure from 1996-2000. When she was Sarpanch, in the year 1997, through the Gram Sabha a proposal of road construction was passed and Rs. 25,000 as advance was released for the work. But due to some local conflict the work was stopped. After some time the work was resumed but under JRY. Finally, the road was constructed and the Mohini Devi submitted the report with all the papers to the Panchayat Samiti but the Panchayat Samiti did not release the remaining amount of Rs. 75,000. Mohini Devi ran from pillar to post for almost eight to nine years but neither did she get any information nor the payment. All her efforts failed until she participated in one of the orientation workshops organised by PRIA on RTI in 2006 in Jhunjhunu where she learnt about the RTI Act. She began to see a glimmer of hope in RTI and sought help from PRIA who



helped her in filing the application. When she went to the PIO (BDO), he took the application but refused to take the application fee and did not agree on giving the receipt. In fact, her application's entry was put in the register. But she again insisted and finally she managed to get the receipt and succeeded in filing the application under the RTI Act.

But the response she received from the PS was not adequate and information given was incomplete. When she confronted the BDO, he told her that the records were old and not with them. Mohini then went for the First Appeal at the Zila Parishad, but the situation was no better there. She kept pursuing but got unsatisfactory results. She filed a complaint and finally the District Collector called her in August 2007 and assured of her payment, saying that she may not get the support if she kept the pressure mounted through RTI. After a gap of two months, she managed to get the amount of Rs. 75,000 for which she waited for almost a decade. However, the battle is half won; she is now waging a fresh struggle to get the interest for Rs. 75,000 report and forwarded it to the Assistant Commissioner so that he could grant permission for the organisation of the weekly Haat.

Source: Rajasthan State Report; 2007-08, PRIA.

Box No.18

IRDP benefits through RTI , Hamirpur , Himachal Pradesh

Meera Devi, 39, an active member of the women's network in Hamirpur resides at Darogan Pattikot Panchayat of the Hamirpur block. She regularly participated in every network meeting being organised by PRIA and motivated other members of her Mahila Mandal to participate in Gram Sabha and other governance affairs. After getting orientation on RTI in the network meeting, she shared the case of disparity regarding the

selection of IRDP beneficiaries in her Panchayat. On this she was suggested to file an application under RTI. She then decided to file an application under RTIA to check the same. Meera Devi filled the application form in the block office to get the list of IRDP beneficiaries in her Panchayat. After 20 days, she received a letter mentioning a fee of Rs. 660/- for the desired information. She was stunned to see the letter and the amount mentioned in the letter as the number of beneficiaries in her GP was quite less. She shared the case with a PRIA representative on which she was guided to go for an appeal. She appealed under RTIA and got the IRDP list free of cost as the block office had taken more than 30 days in intimating her about the desired information.

Source: Himachal Pradesh State Report; 2007-08, PRIA.

Box No.19

**Construction of houses for scheduled castes:
Virangam Taluka, Ahmedabad**

The members of the block level network of Social Justice Committees of Virangam Taluka of Ahmedabad District in Gujarat were oriented on the provisions of the RTI Act by Unnati, a partner of PRIA. The chairperson of Village Khengaria decided to use the RTI Act to find out the status of the construction of houses for Scheduled Castes after four years of issuance of the work order. They came to know that a total of 422 work orders for the construction of the houses had been issued in the entire district, but money for the same had not been made available. When the chairperson took up the issue with the higher authorities, the District Development Officer (DDO) assured them that all obstacles in releasing the money would be overcome within 15 days.

Source: Gujarat State Report; 2007-08, PRIA

Box No.20

BPL family provided electricity connection


Munshi Fakeer from Rampur Dabhaee, Karauli District used the RTI Act for the first time to get information and was successful in his very first attempt. He was a BPL category person who had applied for an electricity connection under the BPL list, but did not get the connection. He repeatedly questioned the concerned Public Authority, but to no avail. Finally, he filed an RTI application on May 27, 2007 with the concerned department—Assistant Engineer (Electricity Distribution), seeking information about the status of his connection. The applicant got the required information under RTI and also got information on the present position of his electricity connection. Soon after, he was provided an electricity connection in his name.

Source: Rajasthan State Report; 2007-08, PRIA

Box No.21

Pending dues paid to son after death of mother, Rajasthan

Kailash Chand resided in Hindon City of Karauli District. His mother was a teacher in a government school. After her death, her son sought payment of all funds due to her, including the Provident Fund and gratuities from the department she worked for. When



after repeated attempts to get the required information he did not receive any satisfactory response, he filed an RTI application on July 17, 2007, to know the status of his case. He was not sure about the procedure to claim the money due to his mother from the Education Department. His application was directed to the Director, Medium and Higher Education, Ajmer, Government of Rajasthan. Initially, the PIO did not entertain his RTI application, but later on his RTI application was filed and he was informed that he would get the desired information within the stipulated time. Accordingly, the desired information was made available to the applicant and he was asked to deposit the death certificate and related documents, so that his case could be processed and his late mother's dues could be cleared. He deposited all the required documents and got all the dues, which were pending, in his mother's name.

Source: Rajasthan State Report; 2007-08, PRIA

Box No.22

Doubts over old age pension clarified: Karauli, Rajasthan

Gangadhar Jatav, a resident of Gadholi Village, Karauli District, was an old age pensioner whose old age pension was suddenly and arbitrarily stopped by the Block Development Officer. It put him to a lot of hardship and he decided to find out the reason as to why his old age benefits had been discontinued. He filed an application under RTI to the concerned Public Authority on August 29, 2006. However, no information was provided to the applicant, which left Gangadhar Jatav with no option other than to move a First Appeal with the Appellate Authority on July 16, 2007. This also did not yield any result. The applicant thereafter filed a Second Appeal with the State Information Commissioner on August 20, 2007, in which the SIC ordered that the information sought by the applicant should be provided by the BDO. As a result, the PIO provided him the reasons for the discontinuation of the old age pension which are as follows:

1. The Investigating Officer had declared the applicant to be ineligible for old age pension.
2. The birth certificate was not furnished to the concerned competent authority by the applicant.

Thanks to the RTI Act, Gangadhar Jatav is now aware of the grounds on which a beneficiary of old age pension forfeits his/her right to avail the benefits. He is also clear now as to the steps he needs to take in order to restore his privileges.

Source: Rajasthan State Report; 2007-08, PRIA

Case Studies Discussion 2: Difficulties faced by citizens in accessing information

Box No.23

RTI: Booby trap or a weapon

A classic example of how sometime RTI fails to ensure the early delivery of complete information came to the limelight in the Bjar village of Mahendragarh District (Haryana). A resident of that village, Mr. Ramniwas, filed an application to the Block Development

Project Officer (BDPO) on April 24, 2007, for the following information:

1. How much grant was received and utilised under Jawahar Gram Samridhi Yojana in Bajad Gram Panchayat. Provide the photocopy of the measurement book for the same.
2. How much grant was received from DRDA/Forest Department and Harijan Kala Nigam and where has it been utilised?
3. At what price was the generator purchased and the firm from which was purchased? Please provide the photocopy of the resolution passed for the same.

More than 30 days elapsed and he still had no requisite information. On May 28, 2007, the BDPO of Ateli wrote a letter to Sarpanch and Secretary of Bjar Gram Panchayat (Letter no. 466-67). Thereafter, though the Sarpanch received his application under RTI Act and gave a fee receipt of Rs. 50/- to Mr. Ram Niwas on June 2, 2007, he did not furnish the information.

Mr. Ram Niwas decided to pursue the matter further. He approached the Deputy Commissioner (DC) requesting him to order the concerned officials to provide the information. The DC took action and asked the BDPO to provide information on July 12, 2007. But the BDPO instead of doing the same sent Ram Niwas to the same Sarpanch again who had earlier denied him the information. The result was on expected lines and the Sarpanch again denied him the information. Tired of running around the offices, Ram Niwas decided to file a complaint to the State Information Commission on July 5, 2007, but the SIC acting against the RTI Act advised the complainant to file the First Appeal. It is important to note here that the SIC cannot ask/advise the citizen to file the First Appeal; instead it must accept these as complaints against the PIOs (Letter no. 3030/SIC/2007/4-IA). Left with no choice, he filed the First Appeal on August 30, 2008, but nobody from the First Appellate Authority responded. Again Ram Niwas decided to approach the State Information Commission on November 23, 2008; The SIC did not pay any attention to his ordeals and again advised him to file an appeal to the DDPO (Letter no. 5547/SIC/2007/4-IA). Then he filed an appeal to the DDPO for providing him the information. Ultimately he did get the information he wanted but it was incomplete.

Source: RTI Report – PRIA Haryana

Box No. 24

Ved Prakash Bearing the brunt for 51 applications

Mr. Ved Prakash is the President of Suprabhat Sewa Samiti, a civil society organisation working for the socio-economic development of the rural poor, particularly poor women in Sonapat District of Haryana. He filed 51 applications in different departments (Department of Panchayat and Development, Department of Food and Supply, District Revenue Department, District Rural Development Agency, Rural Development Authority and the Department of Social Welfare Board) of the Haryana Government and also helped the community in filing hundreds of applications. The applications were mainly related to service delivery problems faced by the citizens. There has been a tangible improvement of services in some gram panchayats and blocks of the district, for example, food grains in the Public Distribution System are being provided on time and at the specified price, the budgets and names of beneficiaries of the development programmes in some gram panchayats are now in the public domain, etc.

Yet, Ved Prakash has not been provided information in 17 applications. In addition, he has to bear the brunt of filing RTI applications. The PIOs of these departments have threatened Mr. Ved Parkash several times and his house was destroyed by government officials without any notice at the behest of the PIOs. Recounting the experience, he said that the PIOs did not accept the RTI applications saying that all the information would be provided verbally and there was no need to give a written application. He added that a majority of the PIOs were not providing dated receipts and they were not accepting fees in cash. Last of all, citizens were provided incomplete information or not provided the information within 30 days.

Describing the behaviour of the PIOs, one citizen from Sonipat aptly said, "For filing a RTI application, a citizen needs to have two heads; as one is bound to be smashed by the PIOs, in such eventuality the person can work with the other head".

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Source: PRIA State Report – Haryana

Box No.25

Reflecting attitude and behaviour of public authority

Mr. Vinod Mahato is a 50 year old citizen of Shirampur Ward No. 11 of Jamtara town. He wanted to know the criteria and procedure for availing the Lal Card under "Aantodyaya Yojna" from the Food and Supply Department, Jamtara. He came to know about the RTI Act and its promises. So he decided to use it to get the requisite information from the public authority. He went to the concerned department to submit his RTI application on January 16, 2008. Mr. Ganesh Das, Public Information Officer of the Food and Supply department, Jamtara, refused to accept his application. He alleged that Vinod was idle and wanted to create problems for government officials by filing an RTI application. Vinod also did not know how to file an application and asked Mr. Das to help him out. The latter denied him any help on the ground that he was too busy to waste his time in helping others to file correct applications under RTI. The whole demeanor of PIO was violative of the RTI Act and also reflected poorly on the attitude and behaviour of a public authority vis - a - vis the RTI Act.

Source: PRIA State Report – Jharkahnd

Box No. 26

Reluctant Compliance by Officials to RTI

Mr. Hanuman Sharma is one of the active citizen leaders living in Amarpur Jorasi Gram Panchayat of Mahendragarh district. He sensed some misappropriation of funds in the implementation of National Rural Employment Guarantee Scheme (NREGS) in his village, so he filed an application under the RTI seeking details of the total amount of fund received under NREGS and expenditure incurred for the purpose in the year 2006-07. He filed an application to the Public Information Officer (PIO), that is Sarpanch of Gram Panchayat on July 31, 2007. His application sought information on the following issues for the duration of April 2005 to May 2007:

- ♦ How many meetings of the Gram Sabha was conducted since April 2005 to May 2007. Please provide a photocopy of the proceedings?
- ♦ How much fund was received under the MLA/MP Fund and where was it used?
- ♦ What was the total fund received by the Gram Panchayat for development works and where was it used?

What is the total fund received under NREGS by the GP (2006-2007)? Give the expenditure details.

The Sarpanch of the village refused to take the application. Hanuman then submitted his application to the PIO of the concerned department—Block Development and Project Office (BD&PO). However, he did not receive any information from the concerned authority within the stipulated time (30 days). He decided to go in for the First Appellate Authority who ordered the Sarpanch to provide the requested information. The Sarpanch still maintained that he had not received any order from the First Appellate Authority.

After some days, the Sarpanch called Hanuman Sharma and asked him to deposit the application along with the application fee. But Hanuman contended that as the information was not provided within the stipulated time of 30 days hence it should be provided free of cost. He again approached the First Appellate Authority who ordered the Sarpanch to provide the information without asking for any fees. But there was no response from the Sarpanch. It is a clear violation of law by the Public Information Officer, who had refused to comply with the orders of the First Appellate Authority. At last, Hanuman had to file second appeal before State Information Commission where his appeal is pending.

Source: PRIA State Report – Haryana

Box No. 27

Harassment for filing RTI

As per the information received from the applicants of Visfi and Basopatti Blocks, the Public Information Officer is not able to provide much legal information to the applicants. Due to this applicants are not able to receive the right information at the right time. Although two workshops in a series was organised by PRIA to discuss the Right to Information Act in Bihar the condition is still not conducive.

Mr. Kamal Kishore a resident of Rajnagar Block in the District was wrongly framed in a case with the nexus of local administration and touts as he sought access to information under the Right to Information Act. He was jailed for two months before getting bail from Patna High Court. Another similar case came to notice in Phoolparas Block when Chandrashekhar tried to expose the irregularities in Mahindwar Panchayat. He was attacked by the criminals on the instance of the Block Administration. Ramnarayan Yadav, a resident of Nannaur village, Andhrathadi Block, was humiliated by the Andhrathadi Block Administration and officials of Rudrapur police station when he tried to file an application under RTI.

Source: PRIA, Patna

Box No. 28

PIO of Uttar Pradesh State Information Commission provides delayed and incomplete information

Vikas Jha of PRIA, New Delhi applied to the PIO, Uttar Pradesh State Information Commission, asking for details of appeals, complaints, penalties, etc. of the SIC on May 12, 2008. Shri Mata Prasad, PIO, sent half the information on July 15, 2008 (nearly two months after the application had been sent) saying, 'your application does not appear to have been received by the commission'. He expressed regret that he was able to provide only half the information, as the SIC had an acute shortage of staff. One critical information not provided was related to the number of penalties imposed by the SIC on the PIOs in the last two and a half years. But he had provided information that 34,781 appeals and complaints were filed in the Commission (2005-08) and 26,968 were disposed off. It is hard to believe that the SIC is not able to maintain data on the few penalties which have been imposed by it; in contrast, it has been able to maintain large data on a number of appeals and complaints. It quite clearly showed that the PIO was trying to hide the information on penalties under the pretext of staff shortage.

Source:SSK, Uttar Pradesh

Box No. 29

Information Pains in Orissa

Manoranjan Joshi, a reporter with a local TV channel, had sought certain information from the Balangir District Rural Development Department under the RTI Act. Joshi was asked by the department to deposit over Rs 1.21 lakh before he could be supplied with the required information. The journalist had wanted to know the name, status and allotment of funds of several projects including those under the Pradhan Mantri Gram Sadak Yojana (PMGSY) for the years 2004/05 and 2005/06 in the district.

But officials of the department did not find anything surprising in the matter. "Joshi applied for information concerning over 2,100 projects under four packages and 20 packages under PMGSY, which amounted to 60,560 pages," Tripathy said. "As we charge Rs 2 per page of information, it amounted to over Rs 1.21 lakh," he said.

Joshi, however, said that he had only wanted to access information about the names of the projects, their present status and funds allocated during the two years. "They could have given this bare information as I never wanted to have thousands of pages of details," he said. He added, "it amounted to harassment".

(Source: www.indiartiblogspot.org, April, 2008)

Box No. 30

File RTI in Bihar: Get ready to be beaten up

If you happen to file a RTI application in some blocks of Madhubani District of Bihar, there are chances that you might be beaten up or a FIR filed against you. This is what happened to Ram Parikshan Ram of the Andratadi Block. Ram Parikshan Ram's wife, Munni Devi, a Panchayat teacher, one day received verbal intimation from the Block office that she had been removed from service as the programme under which she had

got the job of Panchayat teacher had been discontinued. She asked for a written copy of the order, which was denied to her. She wanted to file a RTI application to get a copy of the Government Order. Her husband went to the Block office to submit the application, which was accepted by the Block Development Officer (BDO), but when he asked for a receipt for the application, Shri Rakesh Jha, BDO became angry and along with his staff and supporters started beating Ram. The BDO also got a case of obstructing the work of a government officer filed against Ram in the local police station and put him in jail. At present Ram has a case filed against him.

Kamal Kishore Singh of Rajnagar sub-division faced a similar case of harassment and arrest. He was put in jail on false charges for filing a RTI application and he was released on bail by the Patna High Court after two months. Chandrashekhar Yadav of Phoolparas sub-division, Mahinderwar Panchayat, was attacked by goons on the behest of the local administration for exposing the corruption and malpractices in his Panchayat. Ram Narayan Mandal of Rudrapur Village was arrested in Andratadi Block and kept for hours in the lock up without any FIR as he had the courage to file a RTI application.

Source: PRIA State Report – Bihar

Case studies discussion 3: Films

Box No.31


Film 1: Hamara Paisa Hamara Hisab (Our Money Our Solution)

The documentary encourages people to coerce the government to account for various unfinished and on-paper development works. The public hearings organised by a development organisation, Parivartan, exposed the exaggerated claims of government officials about two colonies named Sundar Nagri and New Seemapuri, located in eastern region of Delhi. The residents of these two localities were sensitised through the medium of songs and street plays. The issues covered the wider trajectory of the absence of public drains, iron gratings, hand pumps, width of roads, etc., which were undertaken for implementation by the Municipal Corporation of Delhi and other government departments in the last couple of years and claimed its completion. A large number of financial irregularities and malfunctioning in the completed work was exposed before the public. This exposure aroused the ire of officials which went through interruption in public hearings. However, it was a successful event, which can be put as an example before other localities and other constituencies of Delhi.

Box No. 32

Film 2: Mere Gaon Ke Sawal (Questions of my village)

This documentary elaborates about the public hearings organised by Mazdoor Kisan Shakti Sangathan (MKSS), a pioneer organisation on the Right to Information movement in Rajasthan. Numerous public hearings were organised through them in different parts in the state of Rajasthan and Uttar Pradesh. The deplorable conditions of hospitals, roads, schools, etc., exhibited the apathy of and corruption in various government offices. MKSS organised the campaign to expose the tall promises and zero delivery of the government departments. In one such village, many villagers were enrolled in developmental work of the village on muster roll. Neither the villagers were



informed nor paid. The corrupt officials and middlemen appropriated the entire amount. However, the participation of one such victim, 80 years old Mr. Kaniram at a public hearing organised by MKSS proved to be fruitful. The ration of the past 11 months under Annapurna scheme entitled to him was sanctioned within a few days. Such public hearings also saw the confession of many elected members of the Panchayats regarding the discrepancies found in the government community development schemes. In totality, the campaign proved successful. Discrepancies in accessing loans and other benefits for the poor from the bank for income generating programmes were also highlighted in the public hearings.

Box No. 33

Film 3: Road to Chandrapura

This film reflects the neglect and indifference of the government towards government development schemes in Chandrapura, a village situated in Banda district on the terrain in Bundelkhand. People had to walk 10 km to reach the village due to the absence of connecting roads/bridges. Things worsened during the rainy season and people were confined to their villages. The village had not been electrified. This bad connectivity made the village people carry the sick on their shoulders to reach a nearby hospital.

But the story of this village today is totally different because of the RTI Act. A local volunteer organisation was able to mobilise and unify the people and fought for the rights of the villagers for months. Earlier, they had pleaded before the district officials and politicians but in vain. Then they walked 62 km to reach the District Magistrate's house and put forward their demands. Questions were raised for the allotted work and the person responsible for it. Their demands were addressed without any delay and within a span of six months all activities were taken up. Through the Right to Information these villagers made their long-awaited dream come alive and today the village is connected with roads from all sides and electrified as well.





Tool 10:

Small Group Discussions

The trainer shall divide participants into four–five groups. Each group should be able to complete the task mentioned in 45 minutes. The trainer can use either Small Group Discussion 1 or 2, depending upon the profile of the learners. If the learners have not used RTI before, then Small Group Discussion 1 should be used. However, if the RTI has been used by some learners, then Small Group Discussion 2 should be used.

Small Group discussions 1

- ♦ To discuss personal or community problems not solved for some years despite several complaints to government offices. For example, the problem can be non-delivery of the public distribution system to beneficiaries, old age pensions not being paid, or roads not being constructed despite fund allocations for it.
- ♦ To discuss whether the RTI would be able to solve this problem. If no, then why not?
- ♦ If yes, how would it be done? Where would they file applications?
- ♦ How would they face the threats from vested interests?

Small Group discussions 2

- ♦ What problems were faced by the individual or community?
- ♦ What did he do to solve the problems? Why did he use the RTI?
- ♦ Did use of the RTI solve the problems? If yes, how?
- ♦ If no, what difficulties did he face; was he threatened by vested interests, etc.?
- ♦ How did he face the problems?

After group work, each group selects a representative who makes the presentation for the group. Each group is given 15 minutes, which includes both the presentation as well as a question and answer session. Thereafter, de-briefing is done by trainer.



STRATEGIES FOR STRENGTHENING USE RTI

Capacity building programmes conducted well do not necessarily result in good action initiatives in the community. Knowledge gained by people who attend capacity building programmes is in most occasions not disseminated among people as trainees cannot formulate a proper action plan for it. So the last session of capacity building programmes should be 'Making an Action Plan' and adequate attention should be given to it. The tools described in this chapter offer some ideas of conducting sessions on 'Making an Action Plan'. Some tools like Powerpoint presentations which describe the role of CSOs in spreading awareness on the RTI and descriptive notes on 'Mass Campaigns—Drive Against Bribes', 'How to organise RTI Camps', 'Action Research Campaigns in Villages' and 'Engaging Youth on RTI', have been described. Trainers can use these tools in lecture-oriented methods, the purpose being to make learners aware of ways in which the RTI initiatives have been launched in different parts of the country.

Thereafter, the trainer can divide the learners into four groups on the basis of geographical contiguity and ask them to make action plans on the RTI for six months. All the learners should keep in mind the resources available for the action plan. It is better not to make resource-intensive programmes such as research studies and huge campaigns covering a number of Gram Panchayats, otherwise such action plans will never be implemented. Small action plans focusing on mohallas, villages and colleges are always good as it is easier to gain experiences from such actions in a short time. Let us now discuss the tools.





Tool 11:

Role of CSOs in spreading awareness on RTI [Power Point Presentation]

Slide 1: Meaning of Civil Society Organizations?

- ♦ Civil Society—Sum of individual and collective initiatives directed towards the pursuit of the common public good.
- ♦ Civil society consists of developmental non-governmental organisations, citizens groups, self-help groups, professional associations, trade unions, faith-based associations, etc.

Slide 2: Role of CSOs – RTI

1. Strengthening the demand side
2. Research and advocacy (watchdog approach)
3. Engaging the media

Slide 3: Strengthening demand side

Campaign mode

- ♦ Citizens—Awareness generation drives at Gram Panchayat (rath yatras, rallies, meetings, IEC materials, RTI camps).
- ♦ Campaign against Bribe—NDTV + citizens groups (2006).
MKSS—Ghotala Yatras (Rajasthan).
- ♦ Parivartan—Residential welfare associations (Delhi).

Slide 4: Campaign mode

Public Rally on Right to Information in Kangra (Himachal Pradesh)



Slide 5: Awareness Generation through theaters or folk songs

Awareness Generation on Right to Information through Nukkad Natak, Bareilly, Uttar Pradesh



Slide 6: Facilitating filing of applications through camps

Right to Information Camp in Jaipur, Rajasthan



Slide 7: Capacity building

Structured workshops

- ♦ CSOs, community leaders, university students.
- ♦ Training sessions—2 days/1 day/2-3 hrs.
- ♦ Methods—lectures, group exercises, quizzes, films, games.
- ♦ Platform building—networks.

Slide 8: Methods of capacity building

Learning about RTI through Snake and Ladder Game



Slide 9: Capacity building of University Students:

Sirsa, Haryana



Slide 10: Platform building Youth network in Universities

- ♦ Women network in district
- ♦ District level platform for RTI initiatives
- ♦ State level platform for RTI initiatives
- ♦ Nari network demanding fee reduction



Slide 11: Research and Advocacy

Structured workshops

- ♦ Studies on status of the RTI in the state (indicators—PIO availability, behaviour of PIOs, SIC disposal of appeals, status of self-disclosure).
- ♦ Regular interface with the SIC and PIOs.
- ♦ Multi-stakeholder dialogue with the SICs and PIOs.
- ♦ Advocacy for reduction of fees and less complicated procedures for filing RTI through media and grassroots campaigns.

Slide 12: Engaging Media

- ♦ Use the RTI Act in disseminating information on government programmes.
- ♦ Expose the wrongdoings of public institutions and functionaries through authentic information.
- ♦ Awareness generation—serials/programmes on Doordarshan, NDTV Metro Nation, etc.

Slide 13: Exposing wrongdoings

- ♦ Saving Rs. 1000 crore loss to civic body, Mumbai (Hindustan Times, Friday, October 17, 2008, New Delhi).
- ♦ 40per cent of SC/ST faculty posts in Central universities vacant (Hindu, Sunday 31, 2008)RTI exposes Rs 33.37 crore scam, PWD-Karnataka (www.indiarti.blogspot.com).
- ♦ One woman, 901 ration cards: Delhi's great scam (IBN Live, July 8, 2008)RTI reveals misuse of CM relief fund in Maharashtra (NDTV, Friday, May 23, 2008).

Slide 14: Has RTI benefited citizens?

- ♦ PRIA study—RTI (2008): 68 per cent of the RTI applicants got information.
- ♦ Citizens helped in solving service delivery problems—NREGS, Indra Awas Yojana, scholarships, old age pension, PDS, etc.
- ♦ Haryana (Fatehabad)—Pilferage in the PDS schemes unearthed. Result: Much improvement in delivery of rations under PDS.





Tool 12:

Mass campaigns - Drive Against Bribes [Ghoos Ko Ghoosa campaign]

Launching of campaign: An anti-corruption campaign aimed at encouraging people not to pay bribes to officials was launched in India between July 1 and 15, 2006. The nationwide "Drive against Bribes" campaign, an awareness and assistance

programme, was run in 48 cities in co-ordination with citizens, civil society groups, media and business houses, and government departments. The 15-day drive aimed to train people in using the provisions under the Right to Information (RTI) Act that empowers citizens to ask questions from the government, seek information about how the government works instead of paying bribes to officials.

Training volunteers and Establishing Assistance centers: These centres were manned by 1,500 trained volunteers who provided help to people on how to file applications under the RTI. For preparing these volunteers, a systematic training was conducted in specified locations in the country, so that they could provide all kinds of help to the citizens while filing the RTI applications. The volunteers in the assistance centres had their RTI help kit ready. The kit contained the RTI Act 2005, RTI rules of states, names and addresses of Public Information Officers, sample of the RTI application, etc. In few camps like Delhi's Nehru Yuva Kendra near ITO, three government officers of Government of Delhi set up their counters. The RTI applications were accepted at these counters and sent to the respective departments. (www.kabir.org)

Attracting people to the camps: In order to attract people to camps, puppet shows were organised which highlighted the significance of the Right to Information. Posters and banners were used to spread the message of the RTI far and wide.

Huge response on Day 1—July 1, 2008

- ♦ Ranchi, Jharkhand saw an impressive turnout with 200 visitors coming to the RTI camp and 90 RTI applications being filed in the first two days of the campaign.
- ♦ Chhindwara, Madhya Pradesh, had a special initiative where a public meeting was held at the bazaar chowk, which was attended by 400 people. As many as 116 RTI applications were filed here.
- ♦ In Ahmedabad, 32 RTI applications were filed.
- ♦ A total number of 636 RTI applications were filed at various camps around the country and over 2000 phone calls were received regarding information about various aspects of the RTI. (www.kabir.org)

Result of mass campaigns

- ♦ The "Drive against Bribes" campaign had people from all walks of life walking in with their respective problems and getting their requisitions registered.
- ♦ Complaints were to do with the issuance of passports, pensions, licenses, income-tax refunds, water, power, etc.
- ♦ Around 45,000 applicants were assisted, and around 21,000 RTI applications were filed in a 15-day drive across the country. (www.kabir.org)

Tool 13:

How to organize Right to Information camps?

The Right to Information Act can only be effective when citizens use it in large numbers. Two years of experience of working of the RTI shows that citizens are not aware of this important Act and even if they are, they do not use it for various reasons. A number of methods like films, meetings, rallies, seminars, training programmes, street plays, etc., have been adopted to make the citizens aware of the Act but slightly different methods like facilitation centres, help lines and RTI camps need to be adopted for promoting use of the RTI among citizens. PRIA in its RTI programme has adopted both the methodologies but here the focus of discussion is RTI camp as this is a new method of facilitating the accessibility of public institutions to citizens and the experiences of organising such camps in different locations can be an important learning experience for the RTI activists. (Jha 2008)

The CSOs and activists should carefully plan their programmes on the RTI camps, otherwise such efforts would have gone in vain most of the time. We have discussed here four steps of organising RTI camps.

Step I : Preparatory Phase (Education, Exposure and Experience)

Before implementing any development programme it is important to understand its legal and policy context. For this purpose, it is worthwhile to spend some time understanding the legal framework (state, country, etc.) as well as its scope and extent of its implementation. The preparatory phase involves three important steps—education, exposure and experience.

Education

Education involves the study of relevant laws such as the RTI Act, other pertinent laws, constitutional provisions, administrative orders and procedures as well as their judicial interpretations. It is also important to find out what information is already in the public domain through official gazettes and newsletters, departmental websites, annual reports, project documents, and press reports so that the facilitators are aware of the legal and policy context and are also able to explain the background, core provisions as well as the utility to the community.

Exposure

Exposure involves finding about the activities of other organisations and individuals working on similar issues by regular interactions, becoming members of relevant e-groups and fora, reading relevant documents and reports and by participating in meetings, workshops, and seminars. This exposure will help in learning about strategies and tactics of other organisations, relevant issues about the programme as well as networking with them for support and future action.

Experience

Lessons learnt from past experience and ongoing processes —successes, failures, and limitations can provide valuable insights to the activists who are planning awareness generation drives and capacity building programmes.



Step II: Awareness generation and capacity building

Any development programme or Act can only be successful if the citizens are aware of their rights and start exercising them. Therefore, it is essential that civil society organisations (CSOs) and activists build awareness about the programme/issue among their target groups. A number of methods like films, songs, puppet shows, meetings, rallies, street plays, pamphlets, posters, charts, information centres (ICs) etc., have been used in India to generate awareness among people. After awareness generation, the focus has to shift to capacity building. This may be done through one-to-one interactions, training programmes, workshops, and seminars. (Jha 2008)


Step III: Organizing RTI camps

After making the citizens aware, the next step is facilitating access to information through RTI camps, help lines and RTI facilitation desks. These set-ups can provide the necessary guidance to the people on provisions of the law, locations of public information officers and appellate authorities, drafting of questions in order to obtain information and all other help in filing applications and appeals. (Jha 2008)

1. **Permanent camps / facilitation centers:** The facilitation centers are normally permanently fixed at any location in urban or rural areas. It should be manned by a person who is well versed with the Act and he should keep all the materials like RTI Act 2005, RTI rules of the state, list of Public Information Officers and Appellate Authorities, decisions of State Information Commission and administrative order and notifications at the center. Only a well equipped person and well acquainted person can handle the facilitation center effectively and convince citizens about the efficacy of RTI Act, otherwise poor managed facilitation center can do irreparable damage not only to credibility of organization but also create doubts about effectiveness of RTI Act in the minds of citizens. (Jha 2008)

RTI Helpline—Kabir, in collaboration with the Manjunath Trust and Parivartan, has launched a telephonic helpline service to provide answers to people's questions about the application of the RTI Act in solving their everyday problems. The helpline is accessible from across the country at 080-66600999.

2. One Time Camp can be organised by CSOs with resident welfare associations, local clubs, and media groups in urban centres on the demands of citizens of the locality. It can be organised once a year/six months, when a large number of citizens can be helped in filing the RTI applications at one go. Local community leaders and students can be mobilised to provide help in such camps. (Jha 2008)
3. Frequent Camp (monthly / quarterly) can also be organised at both urban and rural locations with high population concentration. But frequent organisation of camps require substantial resources and manpower. Frequent camps are able to provide assistance to the people on a regular basis and citizens who have not been able to come to the camp on any occasion can always come to the camp the next time. (Jha 2008)

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4. Mobile camps: Such camps are quite relevant for sparse populations in rural or urban areas. Mobile camps are normally manned by two/three facilitators and it covers two-three locations in a single day, so that it can provide help on the RTI at the doorsteps of the citizens. The reach of mobile camps is maximum in comparison to one-time and frequent camps. (Jha 2008)

All the four types of camps mentioned above require prior advertisement through loudspeakers, posters, pamphlets, etc., to ensure maximum participation of people.

5. Using the information to bring about desired change

Once information is collected by the citizens about development programmes or functioning of public institutions, the next step is its verification by interacting with concerned individuals or communities through social audits, parallel attendance registers, citizen report cards, on-site inspections and other records maintained by individuals and communities. After the collected information has been verified, activists should share the report with the top echelons of government machinery, media and community. Frequent verification of the development programmes or functioning of public institutions shall create necessary pressure of public institutions to improve its functioning which would certainly bring about transparency and accountability in governance. (Jha 2008)



Tool 14:

Action Research Campaign in Villages

Kabir (New Delhi) had taken up an initiative named Action Research Villages (ARV) in four districts of Uttar Pradesh. It was a year-long experimental campaign in Banda, Chitrakoot, Allahabad, and Bahraich districts to promote the extensive use of the RTI and study the impact of using the RTI in day-to-day lives of the villagers, change in overall village conditions and reform of existing governance mechanisms. (www.kabir.org)

Jointly launched in December 2006 by Poorest Area Civil Society Project (PACS) partners Akhil Bharatiya Samaj Sangha from rural areas and Delhi-based RTI group Kabir. Five villages were selected for the ARV campaign. (www.kabir.org)

- ✦ Panchampur (Banda District)
- ✦ Bharthaul (Chitrakoot District)
- ✦ Quila Gadhwa (Allahabad District)
- ✦ Taaj Khodai (Bahraich District)
- ✦ Nai Basti-Nishad Nagar (Bahraich District)

It was ensured that villages represented a wide range of different socio-economic, political and geographical backgrounds:

Method of work: The villagers were trained on various aspects of the RTI and were encouraged to file a minimum of 300 RTI applications on various issues from their villages. The experience and outcomes of the campaign were encouraging not only in the targeted villages but also in the surrounding villages where word of the RTI had spread. People from surrounding villages started filing RTI applications as well. (www.kabir.org)

Impact

The impact of the campaign was tremendous. It increased confidence of the villagers and instilled in them the will to reform governance institutions. Use of the RTI brought in several benefits to villagers. Two case studies have been mentioned. (www.kabir.org)

The Absent Teacher

Mr. Promod Dixit, the only appointed school teacher of the Panchampur village school, has never taught for more than two days in a week over the past two years. The rest of the days the school remains closed. He could not have imagined that the villagers would use their right to information as a tool to teach him a lesson and force the administration to take necessary action against him. The families of the children studying in Classes 6, 7 and 8 asked for information regarding the attendance, leave and medical records of the absconding school teacher. As many as 15 villagers filed applications regarding the same issue, and immediate action was taken. The

primary education officer summoned Mr. Dixit the very next day and asked for an explanation. The officer also appointed a new school teacher for the village school. Since then, an inquiry has been ordered against Mr. Dixit and he has been asked to report to the school regularly.

Missing School Uniforms

Despite several claims of the government, school uniforms of the December 2006-07 session had not been distributed among students of the Gulrahai Primary School in Allahabad. On December 19, 2006, workers from Kabir and ABSS conducted a meeting with the villagers of Gulrahai and taught them about the RTI Act. Immediately thereafter, nine parents prepared an RTI application to question the administration about the childrens' missing school dresses. The administration is yet to respond, but on the first week of January 2007, less than a month from the filing of the applications, the school dresses were distributed to the children. Similarly in the Bharthaul village primary school of Chitrakoot district school dresses were not distributed among the children till December. On December 18, 2006, under the Mere Gaon Ke Sawaal (Questions of my village) Campaign, Kabir and ABSS conducted a meeting with the villagers of Bharthaul and educated them about the RTI Act. The very next day parents of these children submitted an RTI application with the District Education Officer, and within 15 days, the school dresses were distributed.

Outcome of Action Research Villages Campaign

1. When villagers questioned the authorities about entitlements such as ration cards, certificates for age or caste, voter cards or minimum wages in government work, their grievances were resolved in nearly all the cases.
2. In three quarters of the cases related to schemes such as those related to welfare, old-age pensions, scholarships, or homes, the villagers received the intended benefit of these schemes.
3. Absenteeism of teachers and doctors diminished significantly where the RTI applications were used.
4. In cases related to land rights and entitlements of land pattas, the success rate was nearly 70 per cent.
5. With regard to corruption in different schemes such as those relating to mid-day meals, scholarships and school uniforms, the authorities took the RTI applications seriously. In nearly 90 per cent of the cases, the problem was solved.
6. In cases of corruption related to NREGS (National Rural Employment Guarantee Scheme) such as the refusal of job cards or denial of work, the authorities came under tremendous pressure for inquiries and in 80 per cent of the cases the grievances were resolved quickly. (www.kabir.org)



Tool 15:

Mobilizing Women on Right to Information

Experience of PRIA in conducting Capacity building programmes in twelve states over three years shows that women are poorly represented in these programmes. Hence PRIA Haryana decided to launch a special initiative to engage women on RTI. Organizations, networks and other bodies working on gender issues in Haryana were contacted and convinced for organizing capacity building programmes for women, so that women can also come forward and solve their personal and community problems with the help of RTI.

Local civil society organizations like Mahila Vikas Samiti- kalka, All India Janwdai Mahila Samiti, Community Development Society - Panchkula agreed to organize RTI programmes for their members. The programme was organized on June 26, 2008 in Kalka municipal committee district, Panckula. It was attended by nearly hundred women from diverse background viz. citizen leaders, representatives of NGOs, media and elected representatives. PRIA provided resource persons and training materials for the programme.

The duration of programme was deliberately made short (nearly two and half hours) in order to ensure maximum participation of women from the area. In the first half hour, women were asked about the problems faced by them. The problems identified by them were water shortage, load shedding - electricity, poor sanitation in residential areas, poor quality of education in schools.

In the next session, pamphlets on RTI were distributed which explained main provisions on RTI in simple local language. The group was given 15 minutes to read the pamphlets. Then the provisions of RTI explaining how to file RTI application were discussed in detail. Two case studies which showed the RTI has been used successfully for solve problems related to non allotment of land under Indira Awas Yojana and non payment of pensions by women of Jharkhand and Rajasthan were discussed in detail. The purpose was to demonstrate that RTI could be used by women to solve their problems. This session lasted for an hour. The programme was then opened for question and answer session in which small details of filing RTI, where to file RTI, how much fees is to be paid, appeal process were explained.

As the follow up of this programme, handholding support was provided to women who wanted to file RTI by network members, nominated as 'RTI Guide' in the programme. Similar programmes were conducted in four locations of Haryana in the year 2008. The programme resulted in some benefits for women who used RTI as can be seen from two case studies below.



Orientation on RTI for Women's Network



Case study 1

Books, Dress and Bicycle provided to Girl students by using RTI Act

Ms. Sumitra Devi, head of elected body in rural local body Silarpur Mahta, Mahendergarh, is an active member of Nari (Women) Network. Ms. Sumitra and other members of network have been carrying out a number of initiatives for dissemination awareness on various social and governance issues i.e. promotion of Girl education, Literacy for All, female feticide, child marriage, Gram Sabha mobilization, RTI, NREGS etc. She noticed that as per government schemes and guidelines Girl child should be provided free books, dress and bicycle in her village but in reality most of the time it was not provided or not delivered on time. She approached teacher and officials of SSA many times but none of the officers could respond to her queries.

So she filed an application under RTI Act to know, why books, dresses and bi-cycles are not distributed on time. At first the official at district denied to receiving any application, then they said appropriate fees were not attached with application. She has attached postal order of Rs.50/- with application and sent it by registered post. But officers of department denied receiving it as well. Fed up with apathetic attitude of officers, Ms. Sumitra reached to the SSA office with a group of five women of network which forced officers to receive the application. The teachers of the Mandlana village were annoyed with her about these initiatives. But after 15 days, Ms. Sumitra received information from the families of the girl children that their wards had been given books, dress and bicycle etc by the school. These families requested Nari Network to support and guide in solving other problems of village with RTI.

Source: Annual RTI Report- PRA Haryana, 2008

Case study 2

RTI Act helps widow to receive Old age pension

Ms. Mishri Devi, 65 years old a widow, Gram Panchayat, Mandlana, Mahendergarh was facing difficulties in receiving old age pension in spite of required age. After the death of her husband, she has been living alone without any source of sustenance and her three sons had refused to take care of her.

She requested Sarpanch of her village several times to help her in getting old age pension and also submitted written application in department of Social Welfare, Mahendergarh. The officials asked Ms. Mishri Devi to submit age proof, which she submitted. Even after three months, there was no response from the department. She even approached Deputy Commissioner Office, but it was of no help. Nari Network members helped her in filing RTI asking about the status of her application to provide old pension. Interestingly, within 20 days she has received a letter acknowledging the receipt of all the required documents related to pension and informing that she will start getting pensions from next month. With help of the RTI Act, Ms. Mishri started receiving old age pension, which is the only source for her livelihood.

Source: Annual RTI Report- PRA Haryana, 2008

Tool 16:

Engaging Youth on Right to Information

Youth can be engaged either by organising shorter structured programmes in universities or by forming small groups. The first part has been described in great detail in the manual but the second part needs a description as it is normally the follow-up of Part 1. After capacity building programmes are organised in universities, it is necessary to form small groups of students who are interested in using the RTI for public purposes. These groups can be formed on Mohalla/college with a view to address prominent issues affecting citizens or students. These groups should be provided all kinds of help regarding the RTI activists at the state or national level and they should be put in the network list of the RTI in the country. It will help them in keeping abreast of experiences of use of the RTI in the country and it will also enable them to get help when threatened by vested interests. (www.josh4india.org)

Initiative one: Students appearing for UPSC forming a group

Kabir, an organisation in Delhi helped several Union Public Service Commission (UPSC) aspirants and examinees seeking information from the UPSC by filing RTI applications and appeals. Some of the information sought by the applicants became controversial and the UPSC has now appealed in the Supreme Court against the High Court and CIC rulings directing it to provide all the information sought by the applicants. (www.josh4india.org)

Initiative Two: “Bhopal Kesawal” Campaign

Kabir joined hands with a youth group named "V for Bhopal" in helping victims file several RTI applications to release the government files associated with the worst industrial accident in human history. This campaign has largely been successful in making the government release sensitive files that had previously been locked up. (www.josh4india.org)

Initiative three: Solving problems of universities

A youth task force (YTF) was initiated with students of IIT Delhi and students from other engineering colleges and universities of Delhi. YTF filed more than 50 RTIs since 2006. It asked for inspection of all files and work of the Public Works Department (PWD) in Delhi which had incurred expenditure of 430 crores. YTF was formed on the initiative of JOSH (Joint Operation for Social Help) in Delhi. (www.josh4india.org)

The YTF was also started in Delhi University. The YTF comprises students of different colleges of Delhi University. Some of the colleges are Sri Ram College of Commerce (SRCC), Hindu College, Miranda House, Hans Raj College, Faculty of Law, Delhi School of Social Work, Dayal Singh College, Daulat Ram College, and Khalsa College. The core team consists of 10 members from different colleges. The success of the group



to file applications under the RTI. Several cases like non-transparency of examination processes, mal-functioning of different college canteens, sexual harassment cases, etc., have been solved by students with the help of RTI.



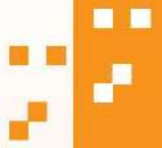
Outcome

Revelation about the CBSE Examination

An application filed under the RTI by a student volunteer revealed that the examiners of CBSE Examination take around 14.4 minutes to check one paper which a student spends 3 hours to write and for which they get Rs. 8. This is an especially crucial revelation because this is the examination which claims the lives of many students every year who commit suicide after either failing or performing poorly, therefore the fact that so little time is spent on a paper needs to be seriously looked into by the authorities.

(www.josh4india.org)

Appendix



The Right to Information Act, 2005 [Simplified Version]

The Right to Information Act, 2005, is landmark legislation, enacted to provide the citizens' right to information, to secure access to information under the control of public authorities, so as to promote transparency and accountability in the working of public institutions. This Act contains 31 Sections and two Schedules. In addition, RTI Rules of the State government describe the fee structure and procedural aspects of accessing information.

It is important to understand the key provisions of RTI Act 2005, the RTI Rules, for conducting any training or capacity building programme on Right to Information. This document is divided into four sections. Section I deals with various definitions in RTI Act, section II covers How to get Information? Section III details out the role and responsibilities of Public Information Officers and section IV discusses role and responsibilities of Appellate Authorities.

SECTION I

1. **Applicability:** The RTI Act extends to the whole of India, except the state of Jammu and Kashmir. [Section 1(2)]
2. **Information for Whom:** Subject to the provisions of the RTI Act, all the citizens of India have the Right to Information. [Section 3]
3. **Meaning of Right to Information** [Section 2(J)]

Right to information, means the right to information accessible under the RTI Act, which is held by or under the control of any public authority and includes the right to :

1. Inspection of work, documents, records;
2. Taking notes extracts or certified copies of documents or records;
3. Taking certified samples of material;
4. Obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device.



4. Definition of Information [Section 2(f)] defines information as “Any material in any form including

- | | |
|------------------|--|
| ♦ Records | ♦ logbooks, |
| ♦ Documents | ♦ contracts, |
| ♦ Memos | ♦ reports, |
| ♦ e-mails | ♦ papers, |
| ♦ opinions | ♦ samples, |
| ♦ advices | ♦ models, |
| ♦ press releases | ♦ data material held in any electronic form and |
| ♦ circulars | ♦ information relating to any private body which can be accessed by a public authority under any other law for the time being in force”. |
| ♦ orders | |

5. **Definition of Record [Section 2 (I)]**

- ♦ any document, manuscript and file;
- ♦ Any microfilm, microfiche (A card or sheet of microfilm capable of accommodating and preserving a considerable number of pages as of printed text in reduced form) and facsimile (FAX) copy of a document;
- ♦ Any reproduction of image or images embodied in such microfilm, (whether enlarged or not); and
- ♦ Any other material produced by a computer or any other device.

6. **Definition of Record [Section 2 (I)]**

Appropriate Government means in relation to a public authority which is established, constituted, owned, controlled or substantially financed by the funded directly or indirectly:

- ♦ By the Central Government or the Union Territory administration
- ♦ by the State Government

7. **Definition of Competent Authority [Section 2 (e)]**

- ♦ the Speaker in the case of the House of the People or the Legislative Assembly of the state or Union territory having such assembly and the chairman in the case of the council of the states or Legislative council of a state;

- ♦ the Chief Justice of India in the case of the Supreme Court;
- ♦ the Chief Justice of the High Court in the case of High Court;
- ♦ the President or the Governor, as the case may be, in the case of other authorities established or constituted by or under the constitution;
- ♦ the administrator appointed under Article 239 of the constitution;

8. Institutional Framework for the Implementation of RTI [role and responsibilities of the various authorities and functionaries under the RTI Act]

The Right to Information Act, 2005, provides a legal institutional framework to implement the RTI. This framework comprises the following key bodies.

- | | |
|---|--------------------------------------|
| ♦ Public Authorities | ♦ Public Information Officers (PIOs) |
| ♦ Assistant Public Information Officers (APIOs) | ♦ Other officers (Deemed PIO) |
| ♦ Designated Appellate Officers | ♦ Information Commission |
| ♦ Ministries and Departments | ♦ Appropriate Government |
| ♦ Competent Authority | |

(Centre for Good Governance, p. 15)

9. What is a Public Authority?

Section 2(h) of the Act describes Public Authority as an authority or body or institution of self government established or constituted –

- (a) by or under the Constitution ;
- (b) by any other law made by the Parliament;
- (c) by any other law made by the state legislature;
- (d) by notification issued or order made by the appropriate government and includes any
 - (i) Body owned, controlled or substantially financed
 - (ii) Non -Government Organization (NGO) substantially financed, directly or indirectly, by funds provided by the appropriate government.

10. **Role and Responsibilities of the Public Authorities:** The Act mandates that every Public Authority shall take the following steps.

♦ Record Management

The Act provides for each Public Authority to maintain all its records, duly catalogued and indexed in a manner and form, which facilitates the right to information under this Act. It should ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated. [Section 4(1) (a)]



- ♦ **Proactive Disclosures**

Each Public Authority shall proactively disclose stipulated information. [Section 4 (1) (b), (c) & (d)]

- ♦ **Suo motu disclosure of Information**

Each Public Authority shall provide information suo motu at regular intervals and disseminate the same widely through means such as notice boards, newspapers, public announcements, media broadcasts, the internet or any other means. [Section 4 (2), (3), & (4)]

- ♦ **Designation of PIOs and APIOs**

Each Public Authority shall designate PIOs and APIOs. [Section 5(1) & (2)]

11. Responsibilities of Public Information Officer (PIO)

PIOs designated under the Act, shall deal with the requests of the persons seeking information and dispose such requests, by providing the information. The information should be provided on payment of the prescribed fee or rejecting the request by specifying the reasons thereto, within the stipulated time as mandated in the Act. [Section 5 (3), & 7 (1)]

12. Responsibilities of Assistant Public Information Officer (APIO)

- ♦ An Assistant Public Information Officer designated under the Act shall receive applications for information or appeals under the Act and forward the same to the PIO, Appellate Officer or the Information Commission concerned. [Section 5 (2)]
- ♦ The appointment of the APIO has been envisaged under the Act to enable the citizens to make requests for information from sub district/district levels to the PIOs' place of location. Where an application or an appeal is received by the APIO, a period of five days is to be added in computing the time limit for response.

13. Responsibilities of Other Officers

The PIO may seek the assistance of any other officer, he or she considers necessary for the proper discharge of his or her duties. [Section 5 (4)]

Deemed PIO: Any official whose assistance has been sought by the PIO shall be treated as a deemed PIO and is required to render all assistance to the PIO. [Section 5(5)]

14. Designated Appellate Officer

Designated Appellate Officer (officer senior in rank to PIO) shall deal with and dispose -

- ♦ Appeals from any person who does not receive a decision on request for information within the stipulated time or is aggrieved by a PIO's decision. [Section 19(1)]
- ♦ Appeal by a third party against an order made by a PIO. [Section 19(2)]

15. Role of Information Commission

The Central Information Commission constituted under Section 12 or the State Information Commission constituted under Section 15 of the Act:

- ♦ Shall receive and inquire into complaints from any person relating to access to information held by or under the control of public authorities. [Section 18(1) (2)]
- ♦ Shall deal with and dispose appeals against the decisions of the designated Appellate Officers. [Section 19(3)]
- ♦ May make recommendations to public authorities not conforming to the provisions or the spirit of the Act, specifying the steps to be undertaken for promoting such conformity. [Section 25(5)]

16. Role of Ministries and Departments

Ministries and Departments in the government:

- ♦ Shall collect information in relation to the public authorities within their jurisdiction and provide it to the concerned Information Commissions, to prepare its annual report and maintain records for such purposes. [Section 25(2)]

17. Role of Appropriate Government

State Government, in relation to a public authority,

- ♦ may cause a copy of the report of the Information Commission laid before the State Legislature. [Section 25(4)]
- ♦ may, to the extent of availability of financial and other resources
 - a) develop and organise educational programmes to advance the understanding of the public on RTI, in particular of disadvantaged communities; [Section 26(1)(a)]
 - b) encourage public authorities to participate in the development and themselves undertake educational programmes on RTI; [Section 26(1)(b)]
 - c) promote timely and effective dissemination of accurate information by public authorities about their activities; [Section 26(1)(c)]
 - d) train PIOs and produce relevant training materials for use by the public
 - e) update and publish guidelines related to the form in which the request for information can be made to the PIOs, notices regarding fees to be paid, name and addresses of PIOs etc., [Section 26(4)]
 - f) make rules to carry out the provisions of the Act. Rules are mainly related to fees and costs for accessing information. [Section 27(1)]

18. Role of Competent Authority

Competent Authority may, by notification in the Official Gazette; make rules to carry out the provisions of the Act. Rules are mainly related to fees to be paid for accessing information. [Section 28]



19. Information which cannot be provided (exempted information)

The RTI Act gives the citizen access to a broad range of information; but there are still situations where certain information's, which are very sensitive, cannot be provided.

20. Exempted Information

Section 8 of the Act mentions a list of 10 categories of information [Section 8(1) (a) to 8(1) (j)], which can be denied to the citizens as there shall be no obligation to give any citizen such information.

- a) Information disclosure, which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the state, relations with foreign state or lead to incitement of an offence.
- b) Information, which has been expressly forbidden to be published by any court or law or tribunal or the disclosure of which may constitute contempt of court.
- c) Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature.
- d) Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party.
- e) Information available to a person in his fiduciary (trust) relationship e.g. (Doctor- patient relationship, bank- customer relationship).
- f) Information received in confidence from a foreign government;
- g) Information the disclosure of which would endanger the life or physical safety of any person or identity of source of information or assistance given in confidence for law enforcement or security purposes.
- h) Information, which would impede the process of investigation or apprehension or prosecution of offenders.
- i) Cabinet papers including records of deliberations of the Council of Ministers, secretaries and other officers (if the decision of the

Council of Ministers is final and complete, then information, reasons thereof and material on the basis of which the decision has been taken can be provided).

- j) Information, which relates to personal information, the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual (e.g. bank details of an individual, health records of an individual in the hospital).

Note: the information, which cannot be denied to the Parliament or the State Legislature, shall not be denied to any person.[Section 8]

21. Non- applicability to Certain Organisations

The Act empowers the Central and the State governments to exempt security and intelligence agencies from the purview of the Act. The Act shall not apply to the

intelligence and security organisations established by the Central Government [Section 24(1)] and to such intelligence and security organisations established by the State Government as that government may from time to time specify in the official Gazette. [Section 24(4)]

The Act does not apply to the following 18 intelligence and security organisations established by the Central Government. [Section 24(1)]

However, information relating to allegations of corruption and violations of human rights in such exempted organizations is not excluded and can be accessed under the Right to Information Act, 2005.

22. Information pertaining to human rights violations and corruption

Information pertaining to allegations of corruption and human rights violations shall not be excluded. In the case of information sought in respect of allegations of the violation of human rights, the information shall only be provided after the approval of the Central / State Information Commission, and such information shall be provided within 45 days from the date of the receipt of request for information. [Section 24 (1)]

23. Primacy of Public Interest

Section 8(2) of the Act provides that notwithstanding anything in the Official Secret Act 1923, nor any of the exemptions permissible under Section 8(1) of the RTI Act, a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.

24. Meaning of Public Interest

To understand the term “public interest”, some significant judgements of the Supreme Court can be taken note of.

- ♦ In 'S.P. Gupta vs. President of India', AIR 1982, SC, 149, Justice Bhagwati, in relation to public interest maintained that redressing public injury, enforcing public duty, protecting 'diffused' rights and interests means public interest.
- ♦ In State of Gujarat vs. Mirzapur Moti Kureshi Kasab Jamat & Others AIR 2006 SC 21, the apex court held that public interest means public order, public health, public security, morals, economic welfare of the community and objects mentioned in Part IV of the Constitution [i.e., Directive Principle of State Policy].
- ♦ The Central Information Commission [Decision No. CIC/ A / 2 0 0 6 / 0 0 0 4 6 / 02/05/2006] held that public interest means disclosure of information that leads to greater transparency and accountability in the working of public authority.

(Centre for Good Governance, p. 85-86)

25. Action taken in Good Faith

Section 21 provides that no suit, prosecution or other legal proceeding shall lie against any person for action done in good faith under the Act or rules. If PIOs have performed their role diligently, then they can plead for protection under this clause before the State Information Commission.



26. Bar of Jurisdiction of Courts

The Lower Courts are barred from entertaining suits or applications against any order made under this Act (Section 23). However, writ petitions can be filed before the Supreme Court and High Courts under Articles 32 and 226 of the Constitution, in case anybody is not satisfied with the decision of the Information Commission or rules / procedures framed by appropriate governments and competent authorities.

SECTION II

How to get Information?

1. Procedure of request for information

The RTI Act provides that the request for information can be made to the PIO or the APIO of the concerned Public Authority. [Section 6(1)] The request for information (application) can be made as follows.

- a) In writing or through electronic means in English, Hindi or in the local language of the area in which the application is being made;
- b) If the applicant is unable to make the request in writing the oral request is to be reduced to writing with the assistance of the PIO.
- c) The particulars of the information sought by the applicant should be specified.
- d) Application fee as prescribed under the rules, to be submitted along with the application, Below poverty line (BPL) applicants are exempted from payment of fees.
- e) Applicant is not required to provide the reason for the information requested or any other personal details, except those that may be necessary for correspondence.

2. Who can accept the applications for information?

Only the PIO and the APIO can accept applications for information.

[Section 6] The PIO or the APIO on receipt of the application should ensure the following.

- a) If the applicant does not belong to the BPL category, the application should be accompanied with the prescribed fees.
- b) If the applicant belongs to the BPL category, proof of BPL category should be attached with the application.
- c) Thereafter the PIO/APIO shall duly acknowledge the receipt (indicating the time and date) when the application was received.
- d) Enter the particulars in Part-1 of the Register of Applications for information.

3. Disposal of the Requests for Information


- Time Limits

Section 7(1) requires that information requested by an applicant, should be furnished by the PIO "as expeditiously as possible". The time limits prescribed for disposal of the requests for information under the Act are as follows.

S. No	Type of Information	Time Limit
1	The Public Information officer on the receipt of a request for information has to either provide information on payment of the prescribed fees or reject the request by assigning reasons for the rejection.	Within 30 days
2	When the information sought concerns the life or liberty of a person the same has to be provided immediately, in any case within 48 hours of the receipt of the request.	Within 48 hours
3	If the application is submitted to the APIO, a period of 5 days is added to the time limit of 30 days, to forward the application to the concerned PIO.	Within 35 days
4	Where a third party is involved (If the PIO intends to disclose any information, which relates to or has been supplied by a third party, the PIO has to give a written notice to such third party within 5 days from the receipt of the request, inviting such third party to make a submission, the third party must respond within 10 days of intimation by PIO).	Within 40 days
5	Information pertaining to allegations of violation of human rights by scheduled Security and Intelligence agencies shall be provided after approval of the Central / State Information Commission.	Within 45 days

Note: Period between intimation and payment excluded: Section 7 (3) of the RTI Act stipulates that the period intervening between the dispatch of intimation to the applicant and the payment of further fee representing the cost of providing information shall be excluded for the purpose of calculating the stipulated period of thirty days.

- Deemed refusal: If the PIO fails to give a decision on the request for information within the period specified under subsection (1) of Section 7, the PIO shall be deemed to have refused the request. Section [7(2)]
- Where the information is to be provided on payment of any further fees representing the cost of providing the information, the PIO shall communicate the same to the applicant in Form B, specifying the following.
 - (a) The details of further fees representing the cost of providing the information as determined by him/her and should include the details of calculations made to arrive at the amount as per the prescribed fees.

- 
- b) The period between the dispatch of the said intimation and payment of fees shall be excluded for the purpose of calculating the period of thirty days.)
 - c) Information concerning his or her right with respect to review the decision as to the amount of fees charged or the form of access provided. The PIO should provide the details of the appellate authority, and time limit for filing the appeal. [Section 7(3)]

- ♦ If the applicant to whom information is to be provided is sensorily disabled, the PIO shall provide him/her assistance to enable access to the information, including providing such assistance as may be appropriate for the inspection. Section [7(4)]
- ♦ Where access to information is to be provided in the printed or in any electronic format, the applicant shall pay the prescribed fee. Section [7(5)]
- ♦ Before taking any decision to provide information the PIO shall take into consideration the representation made by a Third Party.[Section 11(1)]
- ♦ In case a request for information is rejected, the PIO shall communicate to the applicant:
 - (i) The reasons for such rejection;
 - (ii) The period within which an appeal against such rejection may be preferred;
 - (iii) The particulars of the appellate authority. [Section 7(8)]
- ♦ Information to be provided in the form in which it is sought

Section 7(9) stipulates that information shall ordinarily be provided in the form in which it is sought, unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question. Information to be provided to the applicant has to be to the extent possible in a form, which is easily understandable to him /her.

4. Fees and Costs to be charged for furnishing Information

The RTI prescribes the certain fees and costs to be charged from an applicant making a request for information.

- 1) Fee: Fee should accompany the application for information. [Section 6(1)]

Persons Below Poverty Line (BPL) are exempt from payment of fees

Section 7(5) enjoins that no fee is to be charged from persons who are below poverty line as may be determined by the appropriate government.

Where a Public Authority fails to comply with the stipulated time limit in disposal of request applications, in such case the information shall be provided free of charge to the applicant. [Section 7(6)]

- 2) Fee: Further fees (Xerox, sample, model, floppy etc.), determined by the PIO, representing the cost of providing the information. [Section 7(3)]

5. Scale of Fee

Central Government / state governments fix fees for providing information. Mentioned below are the fees fixed for accessing information from Central Public Authorities.

S. No	Description of Information	Price/fees in Rupees
1	Fee along with application	Rs 10 per application
2	Where information is available in the form of a priced publication	On printed price
3	For other than priced publication	Rs 2 per page of A-4 size or smaller and actual cost of page in case of larger size
4	Where information is available in electronic form and is to be supplied in electronic form, e.g. floppy, CD etc	Rs 50 per floppy / diskette
5	Fee for inspection of record / document	First hour free and Rs 5 for subsequent 15 minutes

6. Authentication of Information by the PIO

Every page of information to be supplied shall be duly authenticated giving the name of the Applicant (including BPL status if that is the case), and shall bear the dated signatures and seal of the concerned PIO supplying the information. provided free of charge to the applicant. [Section7(6)]

SECTION III


Role and Responsibilities of PIOs and APIOs

1. PIOS and APIOs: Key Functionaries of the RTI Act

All public authorities were required to designate as many officers as PIOs in all its administrative units or offices under it, as required, within one hundred days of the enactment of the RTI Act, to provide information to persons requesting information under this Act. It is the responsibility of the PIOs to deal with requests from persons seeking information and render all possible assistance and cooperation to the applicants seeking information under the Act

For providing information to the applicant, PIOs can take the assistance of other officers of the public authority..

Another important officer namely, the APIO can be appointed in by a public authority in its sub offices to facilitate citizens to make requests for information under this Act. The duties and responsibilities under different sections of the Act have been enumerated and discussed here in detail.



2. Duties and responsibilities of Public Information Officer

- ♦ Dealing with requests for information: One of the primary duties of the PIOs is to deal with requests for information and render reasonable assistance to the persons seeking such information. [Section 5(3)]
- ♦ Taking assistance of other officials: For the proper discharge of his or her duties the PIO if he or she considers it necessary to seek the assistance of any other officer. [Section 5(4)]
- ♦ Rendering assistance to the applicants: It is the duty of the PIO to render “all reasonable assistance” to the applicants who are unable to make the request in writing by reducing the oral request into writing. [Section [6(1)]
- ♦ Disposal of the applications: It is the duty of the PIO to provide the information within the stipulated time as mentioned in the Act or reject the request for information.
- ♦ Types of Assistance a PIO will render to citizens :

Render reasonable assistance to reduce the oral application into writing, where the application cannot be made in writing. Where access to information is to be provided under the Act and the person to whom access is to be provided is sensorily disabled, the PIO shall provide assistance to enable access to the information including providing such assistance as may be appropriate from the inspection.

3. Duties and responsibilities of Assistant Public Information Officer

- ♦ To receive applications for information or appeals under the Act and forward the same to the PIO or to the Appellate Authority or the State Information Commission, as the case may be. [Section 5(2)]
- ♦ The APIO under normal circumstances will not give information.

4. Officer whose assistance is sought by the PIO

- ♦ To provide all assistance to the PIO who has sought his or her assistance.
- ♦ The officer whose assistance has been sought by the PIO shall be treated as Deemed Public Information Officer for the purposes of any contravention of the provisions of the Act. [Section 5(5)]

5. Redirecting the Request Application

If a request application is made to a public authority regarding a subject pertaining to another Public Authority, the same shall be transferred to the other Public Authority within five days from the date of receipt of the application. The other Public Authority will be subject to the time limit for disposal from the date of the receipt of the application by it. [Section (6(3))]

6. Information up to 20 years

It may be noted that Section 8(3) of the Act does not require the public authorities to retain records for indefinite period. The records should be retained as per the record

retention schedule applicable to the concerned authority. Information generated in a file may survive in the form of an OM or a letter or in any other form even after destruction of the file /record. the Act requires furnishing of information so available after the lapse of 20 years even if such information was exempt from disclosure under sub section (1) of Section 8 .It means that the information which in normal course is exempt from disclosure under sub section (1) of Section 8 of the Act, would cease to be exempted if 20 years have lapsed after occurrence of the incident to which the information relates. However, the following types of information would continue to be exempt and there would be no obligation, even after lapse of 20 years to give any citizen:

- (1) Information disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State, relation with foreign state or lead to incitement of an offence;
- (2) Information the disclosure of which would cause a breach of privilege of Parliament or State Legislature; or
- (3) Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other Officers subject to the conditions given in the proviso to clause (1) of sub section (1) of Section 8 of the Act.

7. Protection of Copyright

Section 9 of the RTI Act provides that a PIO may reject a request for information where such a request for information would involve an infringement of copyright subsisting in a person other than the State.

8. Partial Disclosure of Information

Section 9 of the RTI Act provides that a PIO may reject a request for information where such a request for information would involve an infringement of copyright subsisting in a person other than the State.

- ♦ A citizen can have partial access to that information, which is covered under exemptions from disclosure [Section 8 (1) of RTI Act]. If the request for information has been rejected by the PIO on the ground that it relates to information, which is exempted from disclosure [under Section 8 (1) of the RTI Act], then some part of information, which is not covered in the exemption list, can be disclosed. Such information should be reasonably severed from the information, which falls in the exemption list.
- ♦ If a document or record contains information, part of which is exempted from disclosure under the RTI Act, while the other part is not exempted from disclosure, then the PIO of a public authority can severe (separate) the parts and provide information, which is not exempted, to the applicant.
- ♦ Where partial access to information is provided to an applicant, the PIO must inform the applicant, informing him/her that:
 - a) He/she can be provided with only part of the information after separating it from the record, which falls under the exemption list
 - b) The reasons for providing only part of the requested information.

- ♦ [Section 10 (1)] of the Act emphasises the fact that an applicant can have partial access to even those records and documents giving information under the exemption list [Section 8 (1)]. It is the PIO's responsibility to reasonably separate the part of information from the main part, which falls in the exemption list.

9. What is Third party?

The RTI Act also covers individuals / firms / organisations, which do not directly fall within the scope of the Act, but have submitted some of their information related to contracts, business deals or financial details to government agencies (public authorities). Such information can be accessed under the RTI Act by citizens. These individuals / firms / organisations /Public Authorities are covered under the definition of third party under the RTI Act.

The definition of a third party under Section 2 (n) of the RTI Act covers anyone other than the public authority dealing with the application and the applicant for information as shown below.

First party	The person submitting an application or appeal.
Second party	The public authority responsible for processing the application.
Third party	A person other than the citizen making a request for information and includes a public authority.

Information supplied by a third party, but held by a public authority are included within the definition of "information" under the RTI Act and can be the subject matter of request for information. Section 11 of the RTI Act requires that if the information asked by a citizen relates to a record that has been supplied by a third party and is not treated as confidential by that party, the PIO of a public authority is at liberty to provide such information to an applicant.

10. Can the information about the third party be disclosed?

It is necessary that the Third Party should be consulted by the PIO, if information is being disclosed to the applicant. It is clearly stipulated in the Act that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interest of such party.

Section 11(1) of the RTI Act ,2005 states that the Public Information Officer shall give a written notice to the third party within 5 days from the receipt of request stating his or her intention to disclose such information ,if such information has been treated as confidential by the third party , the third party may make a submission in writing or orally regarding whether the information should be disclosed.

If the third party is a private individual, the PIO has to be very cautious in weighing the consequences as the privacy of an individual is duly recognised and protected under Section 8(1)(j) of the Act.

11. Inspection of Work/Records/Taking of Sample:

Right to Information includes inspection of work, documents, records, taking notes, extracts and certified samples of material. PIOs in consultation with concerned sections /divisions /offices in the government departments, may fix particular days of the week for the applicants to take samples and for inspection of documents/records, material. Such an arrangement will not disturb the work in the sections /division/office and the citizen desirous of applying for the information will also be made aware of these arrangements.

12. Rejection of the Request for Information

When a PIO rejects the application for information, Section 7(8) of the RTI Act requires the PIO to communicate to the applicant the following.

- 1) The reasons for such rejection.
- 2) The period within which an appeal against such rejection may be preferred.
- 3) The particulars of the Appellate Authority.

13. Grounds and the Procedure for Rejection of Requests

The RTI Act does not provide citizens access to all kinds of information held by the public authorities. Some exemptions from disclosure of information have been provided in Section 8 (1) & Section 9 of the RTI Act; categories of information listed in this Section can be denied to the citizens by the PIOs. Citizens must also know the provisions of Section 8 and the decisions of SIC/CIC related to it, so that they do not waste their time and the time of PIOs. PIOs must also know that the mere quoting of a Clause of Section 8(1) is not sufficient; it should be backed by reasonable explanations.

However, the PIO may allow access to information if public interest in disclosure outweighs the harm to the protected interest. [Section 8(2)]

14. Infringement of Copyright:

The PIO under Section 9 of the Act is empowered to reject any such request, which would involve the infringement of copyright subsisting in a person other than the State.

15. Delays and Incomplete Information

- ♦ In the case of delay in providing the requested information or incomplete / malafide denial of information to the applicant, could be the basis for an appeal .To avoid this, the PIO should maintain registers for receipts of requests for information and disposal of such requests. He should also develop checklists and monitor the pending applications and the completeness of the information provided to each applicant.

- ♦ The maintenance of this data is important as the burden of proving that the PIO acted diligently and reasonably would be solely on the PIO and he/she would certainly require documentary proof in case the applicant approaches the Appellate Authority or the Information Commission.

SECTION IV

Role of Appellate Authority and Information Commission

In the event of non compliance of the provisions of the RTI Act, it sets in place the process of first and second appeal, against the decision of a PIO on the request for information by an applicant. [Section 19]

Type of Appeal	Time Frame
First Appeal: The first appeal to a designated officer, senior in rank to the PIO-(first Appellate Authority) as notified by the concerned Public Authority.	30-45 days
Second Appeal: A Second Appeal can be made to the State Information Commission.	Within 90 days.

In addition, there is provision of complaint to the Information Commission [Section 18 (1)] if the applicant is not satisfied with the decision of PIO.

Complaint: An applicant may file a complaint to the Information Commission, if his/ her application is not accepted, he/she is denied information, he/she is asked to pay unreasonable fees, or he/she has been unable to submit an application as PIOs have not been appointed.

1. Appeal to First Appellate Authority

An applicant who does not receive the information within the stipulated time or is aggrieved by the decision of the PIO, can then file an appeal to such officer who is senior in rank to the PIO in that department. [Section 19(1)]

2. Time Limit for Preferring First Appeal

An applicant can file the first appeal within thirty days from the receipt of the PIO's decision. [Section 19(1)]

3. First appeal after the expiry of the 30 days time period

The Appellate Authority may admit the appeal after the expiry of the period of 30 days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time. Section [19(1)]

4. Appeal by Third Party against the order of the PIO to disclose third party information

In the event of the PIO deciding to disclose third party information, the third party in question is entitled to appeal against the decision of the PIO. Such appeal has to be made within a period of 30 days from the date of the order. [Section 19(2)]

5. Time Limit for the Disposal of the First Appeal

The time limit set for the disposal of the first appeal by the Appellate Authority is 30 days from the date of the receipt of the appeal. This time limit is extendable by another 15 days if reasons are recorded in writing by the appellate authority. [Section 19(6)]

6. Appeal to Information Commission

If an appellant is not satisfied with the decision of the first Appellate Authority, then he/she can file a second appeal to the Information Commission. [Section 19(3)]

7. Time Limit for Preferring Second Appeal

An appellant can file the second appeal within ninety days from the date on which the decision should have been made or was actually received. [Section 19(3)]

8. Second Appeal after the expiry of the stipulated time period

The Information Commission may admit the appeal after the expiry of the period of 90 days if it is satisfied that the appellant had sufficient cause which prevented him/her from filing the appeal in time. Section [19(3)]

9. Appeal by Third Party against the order of the first Appellate Authority to disclose third party information

Section 19(4) of the Act stipulates that the Information Commission shall provide shall give reasonable opportunity of being heard to the third party against the decision of the PIO.

10. The Central / State Information Commission

The RTI Act provides that the State Information Commission shall consist of

- (a) The State Information Commissioner; and
- (b) Such number of State Information Commissioners as deemed necessary, but not exceeding ten.

[Section 15(2)]

11. Powers and Functions of the Information Commission

- ♦ To ensure effective implementation of the RTI Act in the country, Section 12 and 15 of the Act provide for the constitution of the Central Information Commission and State Information Commissions respectively.

- ♦ The Act under Section 15(4) stipulates that Information Commissions would function as autonomous bodies exercising the powers conferred on and performing the functions assigned to it under the Act.
- ♦ It is further provided in Section 15(4) that the general superintendence, direction and management of the affairs of the Commission shall be vested in the State Chief Information Commissioner who shall be assisted by the State Information Commissioners.
- ♦ The Information Commissions deal with and dispose off appeals against the decisions of the designated appellate authorities.
- ♦ They may also make recommendations to public authorities, not conforming to the provisions or the spirit of the Act, specifying the steps to be taken for promoting such conformity.

12. Powers to Entertain Complaints by Information Commissions


The RTI Act empowers the State Information Commission to receive and inquire into a complaint from any person. Details have been given in the Table below.

1. Who has been unable to submit a request to the PIO as no such officer has been appointed under this Act or because the APIO has refused to accept his or her application for information or appeal under this Act for forwarding the same to the PIO or senior officer (Appellate Authority –officer senior to the PIO) or the State Information Commission.
2. Who has been refused access to any information requested under this Act.
3. Who has not been given a response to a request for information or access to information within the specified time limit under this Act.
4. Who has been required to pay an amount of fee, which he or she considers unreasonable.
5. Who believes that he or she has been given incomplete, misleading or false information under this Act.
6. In respect of any other matter relating to requesting or obtaining access to records under this Act.

13. Powers to Initiate Inquiry by Information Commissions

♦ The Information Commission, if satisfied that there are reasonable grounds to inquire into the matter may initiate an enquiry in respect of the complaint received by it. The Information Commissions under Section 18(3) of the Act, while enquiring into complaints have been provided powers as are vested in civil courts while trying civil suits under the Code of Civil Procedure 1908 in respect of the following matters.

1. Summoning and enforcing the attendance of persons and compelling them to give oral or written evidence on oath and to produce the documents or things.
2. Requiring the discovery and inspection of documents.
3. Receiving evidence on affidavit.

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4. Requisitioning any public record or copies thereof from any court or office.
 5. Issuing summons for examination of witnesses or documents.
 6. Any other matter which may be prescribed.

14. Powers to examine records held by Public Authorities

Information Commissions during the enquiry of any complaint under the Act may examine any record to which the Act applies, which is under the control of the Public Authority and no such record may be withheld from it on any grounds, notwithstanding anything, contained in any other Act of Parliament or State Legislature. [Section 18(4)]

15. Powers to ensure compliance by Public Authorities

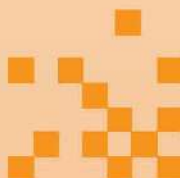
The Act under Section 19(7),(8),(9) & (10) stipulate that the decision of the Information Commission shall be binding. In its decision the Information Commission is empowered to:

- ♦ Require the public authority to take such steps as may be necessary to secure compliance with the provisions of the RTI Act, including the following.
- ♦ Require the public authority to take such steps as may be necessary to secure compliance with the provisions of the RTI Act, including the following.
 1. By providing access to information, if so requested in a particular form.
 2. By appointing a Public Information Officer.
 3. By publishing certain information or categories of information.
 4. By making necessary changes to its practices in relation to the maintenance, management and destruction of records.
 5. By enhancing the provision of training on the right to information for its officials.
 6. By providing it with an annual report in compliance with clause (b) of sub section (1) of section 4.
 7. Require the public authority to compensate the complainant for any loss or other detriment suffered.
 8. Reject the application.

16. Powers to Impose Penalties and recommend disciplinary action

16.1: Reasons for Imposition of Penalty

The Information Commission, while deciding a complaint or appeal, shall impose a penalty on erring PIOs in cases where the PIO has, without any reasonable cause

- ♦ refused to receive an application for information; or
 - ♦ has not provided information within the stipulated time limit as provided under section 7[1];
- 

- ♦ malafidely denied the request for information; or
- ♦ knowingly given incorrect, incomplete or misleading information; or
- ♦ destroyed information which was the subject of the request; or
- ♦ obstructed in any manner the furnishing of the information.

16.2: Reasonable opportunity of being heard

Section 20(1) of the Act provides that before imposing any penalty on a PIO, the Information Commission shall provide the PIO a reasonable opportunity of being heard. The burden of proving that he /she acted diligently and reasonably, lies on the PIO.

16.3: Onus of Proof on the PIO

Section 19 (5) of the Act stipulates that in any appeal proceedings, the concerned PIO who denies a request for information, has the onus to prove that his or her decision was justified. 16.4: Scale of Penalty

The scale of penalty to be imposed is Rs. 250 each day till application is received or information is furnished subject to the total amount of such penalty not exceeding Rs 25,000.

16.5: Disciplinary Action

The Information Commission shall recommend for disciplinary action against the PIO under Section 20(2) of the Act, where the PIO has without any reasonable cause and persistently

- ♦ failed to receive an application for information; or
- ♦ has not furnished information within the stipulated time; or
- ♦ knowingly furnished incorrect, incomplete or misleading information; or
- ♦ destroyed information, which was the subject of the request; or
- ♦ obstructed in any manner in furnishing the information.

17. Monitoring and Reporting

- ♦ The Information Commissions have been entrusted with the task to monitor the implementation of provisions of the Act under Section 25, and prepare a report annually.
- ♦ The annual report must be placed before the Parliament and State Legislature as the case may be.

18. Recommendations for Reforms

Section [25(3) (g)] of the Act requires that the annual reports of the State Information Commissions include recommendations for reform, including recommendations in respect of the particular public authorities for their development and improvement,

modernization, reform or amendments to the Act, other legislation or the common law, or any other matter relevant for operationalising the right to access information.

19. Role of PIOs and Public Authorities in Maintaining Records

19.1 Maintenance of RTI registers [by PIOs, PAs]

In addition, the maintenance of proper registers by the APIOs, PIOs and the Public Authorities is important, since this would not only enable them to discharge their functions effectively, keep a track on the status of the requests made and provide crucial documentary proof in cases of appeals before the Information Commissions.



19.2 Directory of APIOs, PIOs and Appellate Authorities

One of the initial activities of the Public Authorities is to compile and publish a directory of APIOs, PIOs and Appellate Authorities, including the Information Commissioners. This will provide the citizens the name and addresses and telephone numbers of all the authorities connected with the implementation of the Act. Since some officers may get transferred, the directory needs to be updated at regular intervals.

19.3 Collecting statistics and sending an Annual Report of the Information Commission

- ♦ It is imperative that all the public authorities immediately put in place proper monitoring systems so that necessary statistics could be delivered regularly to the Information Commissions, Section 25(1) stipulates that every ministry or department is duty bound to provide the Information Commission with whatever information is needed to produce their annual reports.
- ♦ Ideally the administrative reforms department (the nodal agency for implementation in the state) should develop such a monitoring system in collaboration with the Information Commission, which will be utilising the statistics collected in their annual reports. Guidance on how to collect and manage statistics also needs to be issued to all the PIOs, APIOs and departmental appellate authorities.

Snakes and ladders Game

खेल-खेल में समझे एवं व्यवह			
 100			सरकारी कर्मचारी द्वारा अधिनियम के प्रति जागरूक न होना
	81	82	संबंधित सूचना आयोग को दूसरा आवेदन करना
अपीलीय अधिकारी द्वारा लोक सूचना अधिकारी के पक्ष में निर्णय देना	80	79	सूचना प्राप्त करने में दिक्कतें आना
गरीबों को सूचना मुफ्त में मिलना	61	62	लोक सूचना अधिकारी द्वारा अधिनियम के तहत जारी किए गए कार्यों का पालन न करना
लोक प्राधिकरण द्वारा आवेदन शुल्क में अनिवार्यता दिखाना	60	59	गरीबी रेखा से नीचे वाले को आवेदन पत्र के साथ शुल्क नहीं देना
आवेदन की प्रक्रिया को आगे बढ़ाने में सहायक	41	42	आवेदनकर्ता द्वारा आवेदन पत्र में विरुद्ध विवरण न देना
आवेदनकर्ता द्वारा लोक सूचना अधिकारी को शुल्क के साथ आवेदन पत्र जमा करना	40	39	लोक प्राधिकरण द्वारा कुछ सूचनाओं को स्वयं प्रसारित न करना
अधिनियम के अनुरूप होना	21	22	इस अधिनियम के उपयोग में सहायक
अधिनियम के प्रति नागरिक एवं सरकारी कर्मचारियों का जागरूक न होना	20	19	अधिनियम को उपयोग में लाने में अवरोधक
 1	आवेदन का खारिज होना / कोर्ट में अपील किया जाना	2	लोक प्राधिकरण का अधिनियम अनुरूप न होना
		3	

र में लाएँ, सूचना का अधिकार, अधिनियम 2005

7	संबंधित सूचना आयोग द्वारा लोक सूचना अधिकारी को निर्देश देना एवं जरूरत पड़ने पर सजा सुनाना	96	95	संबंधित सूचना आयोग द्वारा सरकारी कर्मचारियों के प्रशिक्षण में अरुचि दिखाना	94	93	92	91
4	सूचना प्राप्त करने में एक कदम आगे	85	86	गरीबी रेखा से नीचे वाले आवेदनकर्ता द्वारा आवेदन प्रक्रिया में पहचान पत्र का सफल न किया जाना	87	88	89	90
7	आवेदनकर्ता द्वारा सूचना लेने के लिए अतिरिक्त शुल्क का भुगतान किया जाना	76	75	अपीलीय अधिकारी द्वारा निश्चित समय सीमा में सूचना देने से संबंधित निर्णय न देना	74	73	72	71
4	आवेदनकर्ता को सूचना लेने के लिए अतिरिक्त शुल्क देना होगा	65	66	अधिनियम के अनुरूप न होना	67	68	69	70
7	सूचना जो कि नहीं दी जा सकती है वो सूचना के लिए आवेदन करना	56	55	लोक सूचना अधिकारी द्वारा आवेदन पत्र स्वीकृत करना	54	53	52	51
4	आवेदन प्रक्रिया के अनुरूप	45	46	लोक सूचना अधिकारी द्वारा अपने कर्तव्यों का पालन ना करना	47	48	49	50
7	उचित लोक प्राधिकरण एवं लोक सूचना अधिकारी को पहचानने की योग्यता	36	35	अनुपयोगी सूचना मिलने का जोखिम	34	33	32	31
4	लोक प्राधिकरण द्वारा कुछ सूचनाओं को स्वयं प्रसारित करना	25	26	लोगों का स्वयं सूचना प्रसारित करने की व्यवस्था के	27	28	29	30
7	मुफ्त में मिलने वाली सूचना के लिए शुल्क का लिया जाना	16	15	लोगों का इस अधिनियम के प्रति जागरूक होना	14	13	12	11
4	सूचना के अधिकार अधिनियम, 2005 का लागू होना	5	6	अधिनियम को लागू करने में अरुचन	7	8	9	10



Game Cards



केन्द्र सरकार के आसूचना या गुप्तचर
और सुरक्षा संबन्धित 18 संगठन....



सूचना देने के लिये बाध्य नहीं हैं ।



हर मंत्रालय / विभाग का कर्तव्य है कि सूचना के अधिकार
के क्रियान्वन पर.....



वार्षिक रिपोर्ट बनाये और उसे केन्द्रिय राज्य
सूचना आयोग को भेजे ।



लोक सूचना अधिकारी को तीसरे पक्ष से सुझाव लेना होगा.....



यदि सूचना तीसरे पक्ष से संबंध रखती है।



कुछ सूचनार्ये देने से.....



लोक सूचना अधिकारी मना कर सकता है।



व्यक्ति यदि पहली अपील से असंतुष्ट है.....



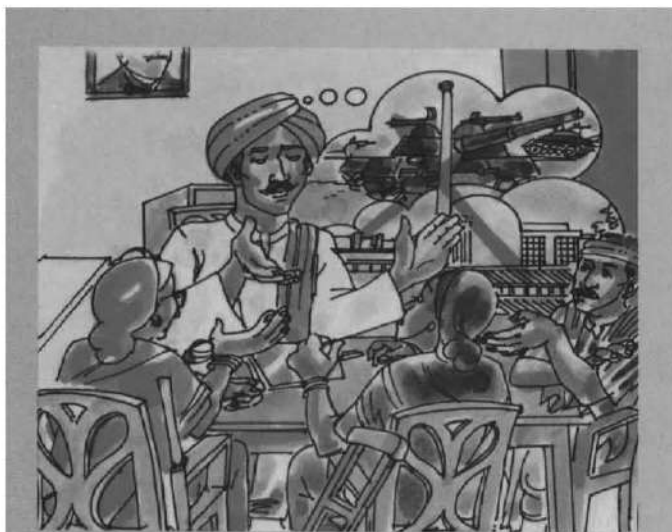
तब वह दूसरी अपील राज्य / केन्द्र सूचना आयोग में कर सकता है ।



जनता में सूचना के अधिकार की जानकारी को बढ़ाने के लिये केन्द्र / राज्य सरकार समय-समय पर.....



शैक्षणिक कार्यक्रम बनाती है और लोक सूचना अधिकारी को प्रशिक्षण देती है।



कुछ सूचनायें जन हित में.....



छूट अधिनियम के बावजूद भी दी जा सकती है।



समय सीमा के अन्दर सूचना न मिलने, निश्चित शुल्क से ज्यादा पैसे माँगने, या लोक सूचना अधिकारी के रवैये से परेशान होकर, व्यक्ति अपनी पहली अपील.....



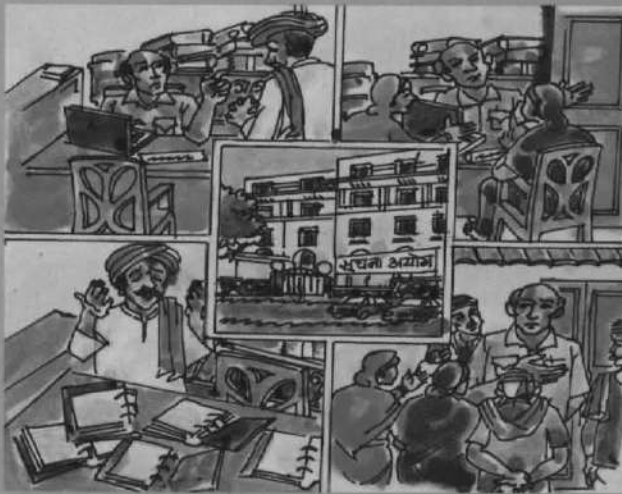
अपील अधिकारी (लोक प्राधिकरण के वरिष्ठ अधिकारी) से कर सकता है ।



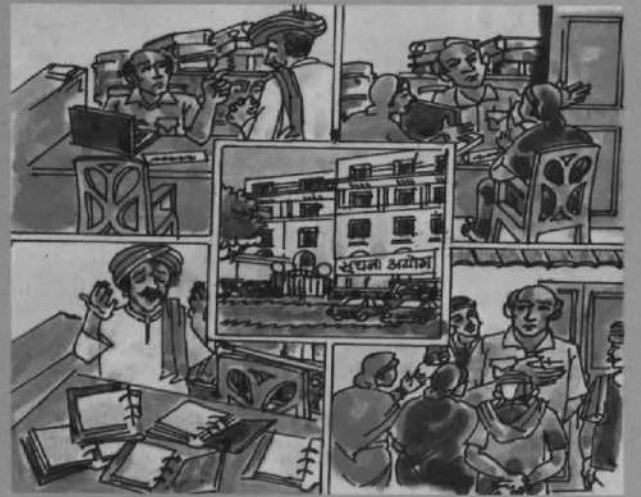
सूचना देने से इन्कार करने या बाधा डालने पर लोक सूचना अधिकारी पर.....



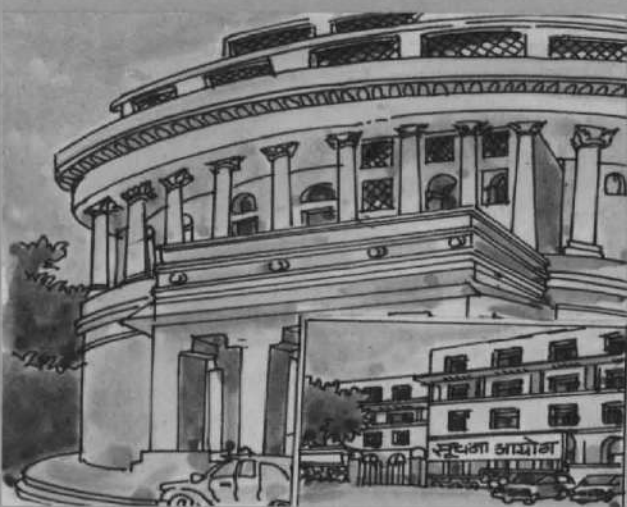
सूचना आयोग रुपये 250 - रुपये 25,000 तक का जुर्माना लगा सकती है ।



केन्द्रिय / राज्य सूचना आयोग को सूचना उपलब्ध कराने के लिये.....



कई शक्तियाँ प्राप्त हैं ।



केन्द्रिय / राज्य सूचना आयोग का गठन.....



केन्द्र / राज्य सरकार करती है ।



मुख्य सूचना आयुक्त / सूचना आयुक्त का पद उन व्यक्तियों को प्राप्त होना चाहिए.....



जिन्होंने विधि, विज्ञान एवं तकनीकी, सामाजिक सेवा, प्रबन्ध, पत्रकारिता, मास मीडिया या प्रशासन और शासन में व्यापक ज्ञान एवं अनुभव हासिल की हो।



केन्द्रीय / राज्य सूचना आयोग में.....



केन्द्रीय / राज्य सूचना आयुक्त के अलावा दस अन्य सूचना आयुक्त होते हैं।



व्यक्ति केन्द्र / राज्य सूचना आयोग के फैसले से असंतुष्ट है.....



तब वह उच्च न्यायालय या सर्वोच्च न्यायालय में अपील कर सकता है।



किसी प्रकार का आवेदन शुल्क या अन्य शुल्क नहीं देना पड़ता है.....



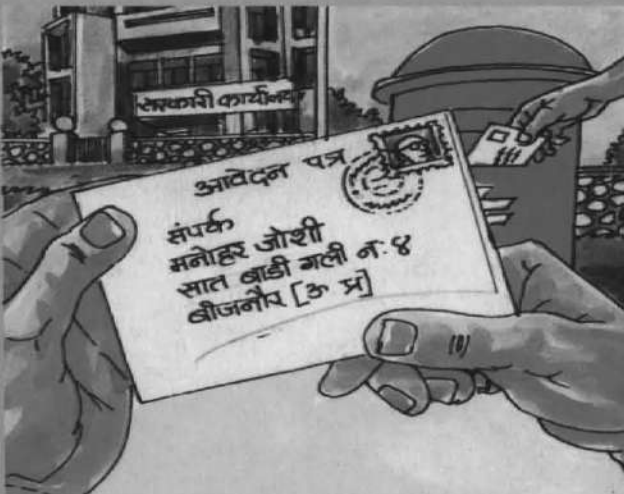
गरीबी रेखा से नीचे रहने वाले को।



लोक सूचना अधिकारी की जिम्मेदारी है कि.....



वह सूचना माँगने वाले व्यक्ति की सूचना पाने में हर संभव मदद करें।



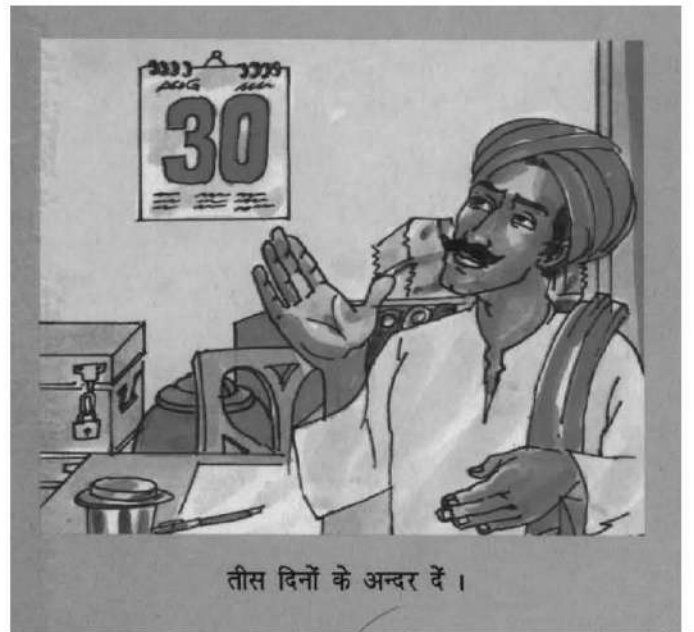
सूचना प्राप्ति के लिये कारण बताने की आवश्यकता नहीं है, न व्यक्तिगत विवरण देने की.....



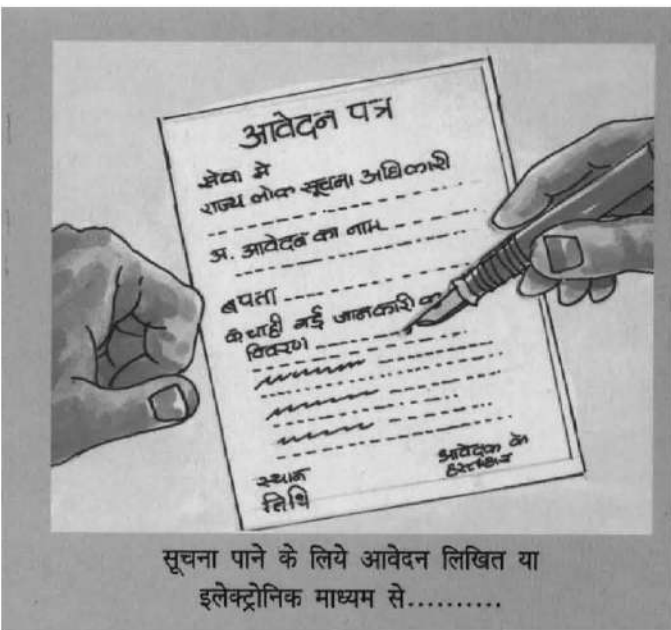
केवल संपर्क के लिये पता देने की जरूरत है।



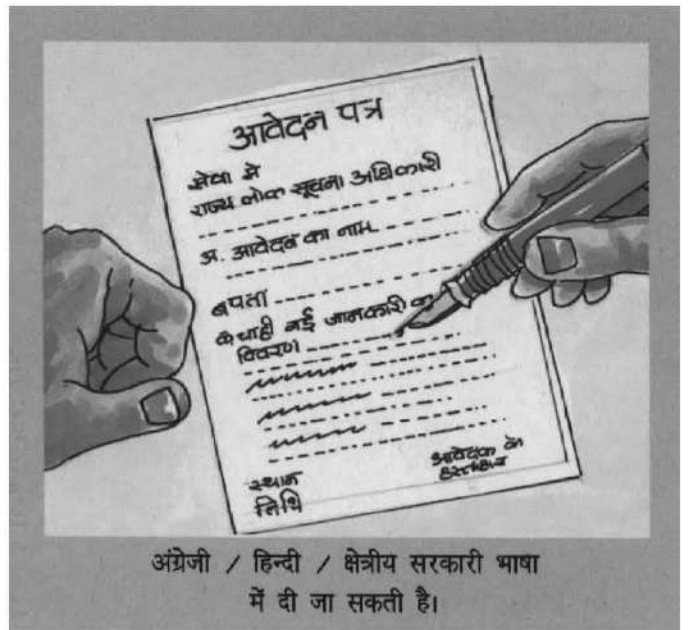
लोक सूचना अधिकारी के लिये आवश्यक है कि सूचना.....



तीस दिनों के अन्दर दें ।



सूचना पाने के लिये आवेदन लिखित या इलेक्ट्रॉनिक माध्यम से.....



अंग्रेजी / हिन्दी / क्षेत्रीय सरकारी भाषा में दी जा सकती है।



सूचना पाने के लिये आवेदन पत्र देना होता है.....



लोक सूचना अधिकारी को।



सूचना पाने के लिये आवेदन पत्र के साथ.....



आवेदन शुल्क एवं अन्य शुल्क भी देना पड़ता है।



लोक सूचना अधिकारी सूचना के आवेदन को अस्वीकार करता है तब उसे.....



अस्वीकृति का कारण, अस्वीकृति आदेश के विरुद्ध अपील की समयावधि और अपील अधिकारी का विवरण देना होता है।



सूचना का अधिकार हर भारतीय नागरिक को.....



सरकारी कार्यों, दस्तावेजों, अभिलेखों का निरीक्षण करने / उनका प्रतिलिपि या नमूने लेने का अधिकार देता है।



लोक सूचना अधिकारी हर प्रशासनिक
इकाईयों या कार्यालयों के.....



वह अधिकारी होते हैं जो आवेदकों
को सूचना उपलब्ध कराते हैं।



सूचना का अधिकार प्रत्येक लोक प्राधिकरण /
सरकारी तंत्र के कार्यक्रमों में.....



पारदर्शिता और उत्तरदायित्व लायेगा ।



लोक प्राधिकरण का मतलब है.....



ऐसे प्राधिकरण, निकाय या स्वशासित संस्थान जो संविधान, संसद,
विधानसभा, सरकार के आदेश द्वारा स्थापित और गठित हों ।



लोक सूचना अधिकारी /
उप-लोक सूचना अधिकारी की नियुक्ति



हर सरकारी कार्यालय में की जाएगी।



सूचना का मतलब है.....



ऐसी कोई भी सामग्री जैसे अभिलेख (records), दस्तावेज, परामर्श, प्रतिवेदन (records) जिससे सरकारी कार्यालय / लोक प्राधिकरण के विषय में जानकारी मिले।



हर सरकारी कार्यालय की जिम्मेदारी है.....



कि वह अपने कार्यों के विषय में सूचना स्वयं प्रसारित करें ।



जिन क्षेत्रों - अनुमण्डल या उप जिला में लोक प्राधिकरण के कार्यालय नहीं हैं.....



वहाँ डाक विभाग लोक प्राधिकरण (केन्द्र सरकार) के लिये उप लोक सूचना अधिकारी काम करेगी।



सूचना का अधिकार अधिनियम से गुप्तचर एवं सुरक्षा संबन्धित संगठनों को बाहर रखा गया है.....



परन्तु गुप्तचर एवं सुरक्षा संबन्धित संगठनों को भ्रष्टाचार और मानवीय अधिकार से संबन्धित सूचना देनी होगी ।

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♦ www.inforti.org
www.kabir.org ♦ www.josh4india.org
♦ www.cic.gov.in

PRIA is an International Centre for Learning and Promotion of Participation and Democratic Governance. Since its inception in 1982, PRIA has embarked on a set of key initiatives focusing on participatory research, citizen-centric development, capacity building, knowledge building and policy advocacy. With a combination of training, research and consultancy, it has grounded its work with conceptual rigour and understanding of social reality to command the strategic direction of interventions. PRIA works with diverse range of partners at local, national and global levels.

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- ♦ Participatory development methodologies
- ♦ Institutional & Human capacity building for social sector
- ♦ Women's leadership & political empowerment
- ♦ Citizen monitoring & social accountability of services
- ♦ Participatory governance in panchayats
- ♦ Municipal reforms & participatory planning
- ♦ Environmental & occupational health and CSR
- ♦ Adult education & lifelong learning
- ♦ Gender mainstreaming in institutions (including preventing sexual harassment at work)

PRIA adopts three broad approaches in its ongoing programmes.

First, it intervenes directly in the field primarily in the northern & eastern poorer regions of India, in order to promote 'citizen's collective voices' to make demands on governance institutions to claim their rights, access services and ensure accountable utilization of public resources in development programmes. In recent years, **PRIA's** interventions have specially targeted Right To Information (RTI) and National Rural Employment Guarantee Schemes (NREGS).

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