

Best Practices in the Implementation of Right to Information Act, 2005

Report



Centre for Good Governance

Dr MCR HRD IAP Campus, Road No. 25 Jubilee Hills

Hyderabad – 500 033

Ph: 91-40– 2354 1907

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Introduction and Objectives

In the last three years since the Right to Information Act has come into being, several attempts have been made by State governments, Public Authorities, Information Commissions, and NonGovernment Organisations to implement the Act as per its letter and spirit.

The practical regime prescribed by the Act calls for changes in the way of functioning of Public Authorities, by designating officers, identifying possible information needs of the citizens and thereby drafting and publicizing their *suo-motu*- disclosure, introducing information technology for upkeep of files, records and other important documents etc. All these changes were subject to resource allocation and availability. Hence there is at this point of time, no uniformity in the way Public Authorities have adhered to RTI. There are variations in ways of adaptation and these are evident from the fact that, different states have framed rules for themselves (as called for by the Act).

Of the various attempts made by the States, Public Authorities, Information Commissions and other institutions, some stand out for being the first one to do so. Such attempts have been publicized in the media and have found national recognition. The call centre approach of Bihar (*Jaankari*) and the first transparent office in AP are cases in point. There are however district and local attempts that are self-motivated models for emulation to establish transparency and accountability in the performance of the government.

In all there have been significant efforts made to adhere to Right to Information Act that need to be noted.

The good practices are presented as per the initiators of the practice and have been categorized as state-led / state level initiatives, Information Commission led initiatives, Civil Society initiatives and some international good precedents.

The cases presented in the compilation highlight initiatives taken up at different levels such as government level- wherein capacity building has been taken up at different levels through a planned project intervention, such as the Capacity Building for Access to Information (CBAI) project by DoPT; enabling implementation of the RTI at all levels through a high level body to monitor the same such as the High Power Committee in Andhra Pradesh, setting up facilitation centres to enable greater access to information for the poor like *Jaankari* in Bihar. The role of IT in enabling citizens' access information has been critical to the success of the RTI Act. India's First Transparent Office highlights ways to provide critical government information at the click of a mouse. While meso level initiatives pave the way, micro level initiatives through district

level officials follow suit, as is evidenced in the case of a district office in Kulu, Himachal Pradesh.

Information Commissions have played a key role in setting the tone for some best practices, such as ranking public authorities by way of weighing their compliance to RTI requirements in Uttaranchal, creating easy access to check RTI status through SMS in Andhra Pradesh, landmark orders passed by the Goa Information Commission on non-compliance of public authorities to the stipulations as per the RTI, decentralizing Information Commission(er)s in Maharashtra and taking recourse to e-enablement for internal tracking of appeals in Andhra Pradesh Information Commission. A good practice followed by the Nagaland Information Commission is that it has arranged for all the voluntary disclosures of PAs under S. 4(1)(b) to be uploaded on the SIC's website. Citizens can view the information by accessing the SIC's website at www.nlsic.gov.in

Civil society organisations (CSOs) have played a significant role in ensuring that RTI Act is enacted and they have been at the fore front in using the Act. It is at the behest of the civil society that some of the issues related to corruption are being addressed through RTI. Anti-corruption campaigns carried out by KABIR and other CSOs. Toolkits to enable Public Authorities assess their level of compliance to pro-active disclosure have been prepared by CGG. Panchayats as the lowest body of governance are accountable to the villagers - a practice of Total Quality Management (TQM) in Kerala is highlighted for information. Similarly *Samarthan* in Bhopal has facilitated self-disclosure of panchayats in their intervention areas in Madhya Pradesh.

It is envisaged that while accessing information through RTI, efforts are made to improve service delivery of departments engaging in service delivery. Instances of some such efforts are highlighted through action studies taken up by KABIR, an MLA making a *suo-motu* disclosure of development and schemes undertaken through MLA funds in Meghalaya and the mass awareness programmes in Andhra Pradesh through an RTI network are also showcased.

RTI initiatives taken up by neighbouring country in Nepal, that seem apt - such as immediacy of disclosure of information and setting up of a National level Institute for Access to information are also highlighted. As Freedom of Information (FoI) has an international origin and has led some countries to take some exceptional steps in its implementation, there are instances provided of such initiatives that are worth knowing and considering for better implementation of RTI in the country.

In all, the compilation strives to put together some of the known and published practices that could be worth emulation. However they are not exhaustive. Issues on which action could be taken by advocates of / for RTI are highlighted towards the end in specific recommendations.

Right to Information Act has come to be for the last three years and its heralding has meant a lot of back office work for the designated Public Authorities to make themselves RTI compliant. In the three years that have gone past, attempts have been made in several states, at several levels to make the Public Authorities adhere to their action plans and pro-actively disclose critical information related to their working, services being provided, decision-making process and grievance redressal procedures. There are also attempts made by individuals and civil society actors to ensure the spirit of the Act, is kept alive. Information Commissions have also played a critical role in ensuring the same.

In all there have been significant efforts to approach Right to Information Act that needs to be taken stock of.

Objectives: The objectives of this compilation are 'to identify the best practices in implementation of RTI Act to promote open government and to outline an action plan for adoption/adaptation by public authorities.

1. Identify best practices in implementation of the Right to Information Act;
2. Provide insights to promote open government;
3. To outline an action plan for adoption / adaption by public authorities

Approach / Scope / Methodology for the Study:

- (a) Compare and contrast the action points by the main stakeholders, based on the requirements in the Act;
- (b) Find out the nature and extent of the *suo-moto* disclosure of information;
- (c) Find out if there has been any deliberate effort to organize education and training for changing the mind-set of officials and political leaders or otherwise improving the implementation of the Act;
- (d) Look for a few relevant / related international experiences and explaining them in brief.

This documentation has been carried out by drawing on the information gathered over time in e implementation - at various levels - of the 'Capacity Building for Access to Information Project'. As well as other available key resources containing well-drafted / documented narratives of cases that throw light on significant initiatives undertaken to improve openness among public authorities.

Ever since the Right to Information (RTI) Act came into effect in October 2005, there has been a palpable optimism about its onset. There is wide-spread anticipation of greater space for citizen's and civil society in accessing information earlier the prerogative of the officials, holding the officials accountable for their actions and greater transparency from those in authority wielding power.

Not belying these hopes are cases and instances of best practices that are being practised / have been adopted by authorities / institutions and people to ease and smoothen the flow of information. Such practices are found to be available at different ends and levels of information flow - supply side to demand side.

The best practices cases presented here are categorized on the basis of their initiators: the Government, Information Commissions, Civil Society and individual contributions. It has been attempted to cases per se

Presented in this compilation are some of the best practices of RTI implementation in India and at the international level.

Cases (Key Findings)

Capacity Building for Access to Information (CBAI) Project, DoPT

The Felt Need - Issue(s) sought to be addressed: Citizens' access to public information - held by or under the control of the government or of a government-supported organisation - had been recognized as a key governance reform. In order to bring about this reform, the Government of India (GoI) enacted the 'Right to Information (RTI) Act, 2005'.

No sooner was the 'RTI Act, 2005' enacted, than it was realized that the success of the resultant implementation regime would depend - to a large extent - on building capacities, both, on the supply- and the demand-side. It would depend also on reinforcing these capacities - from time to time - in view of the challenges faced by this regime. It was to address this felt need that the 'CBAI Project' came to be designed as a significant intervention toward comprehensive multi-stakeholder capacity building. In December 2005 under the aegis of the 'Department of Personnel and Training' (DoPT), 'Ministry of Personnel and Public Grievances', 'Government of India' (GoI), the Project began. Centre for Good Governance (CGG), Hyderabad (Andhra Pradesh) and the 'Yashwantrao Chavan Academy of Development Administration' (YASHADA), Pune (Maharashtra) together constituted the 'National Implementing Agency' (NIA) for the project's implementation in two phases in 28 States of the country.

Project Approach & Methodology: The CBAI project adopted a broad-based approach even as it sought to build on the earlier initiatives in this area supported by UNDP and several State Governments, thus bringing together the complementary elements of previous efforts and addressing the continuing challenges and capacity gaps of the government officials as information providers and of the citizens as information seekers. The Project's approach and implementation methodology have attempted to incorporate strengthening and institutionalization of mechanisms in a way that the government-citizen interface can be improved through a consultative process and through research; documentation and advocacy efforts.

As a pilot (in the 1st phase), the project was launched in 12 States. These were the States, who had communicated to DoPT their willingness to play a key role under the proposed project. The respective State Administrative Training Institutes (ATIs) in these States were partnered with as State-level Implementing Agencies (SIA).

In addition to being implemented at the State level through the interventions of the State ATIs, the project has been implemented in 2 districts per State. District Collectorate of the Project districts became implementing partners and were designated as 'District Implementing Agencies' (DIAs [under the Project]).

The 2nd phase of the Project was launched about mid-way the first phase wherein the Project was extended to 16 other States including Delhi, thereby, covering all the States (except Jammu & Kashmir) in the country, where the 'RTI Act, 2005' is in force. The same model of partnering with State ATIs and District Collectorate continued into the 2nd phase. Thus, 32 additional districts came to be covered in the second phase.

The project followed a 'Cafeteria Approach' whereby the 'State and District Implementing Agencies' had the freedom and flexibility to decide upon their priorities and use the project funds for carrying out activities in keeping with their felt needs and their specific contexts.

Project Objectives: The key objectives of the Project are:

- Building capacities of government officials to meet citizens' information needs for improved service delivery;
- Developing capacities of citizens and civil society to demand information that they need and create awareness for the same;
- Establishing institutional mechanisms at the national level for improved citizen-State interface; and
- Facilitating research; documentation; communications and advocacy along with sharing national and global good practices through networking of various practitioners.

The structure of the project has been as depicted below:

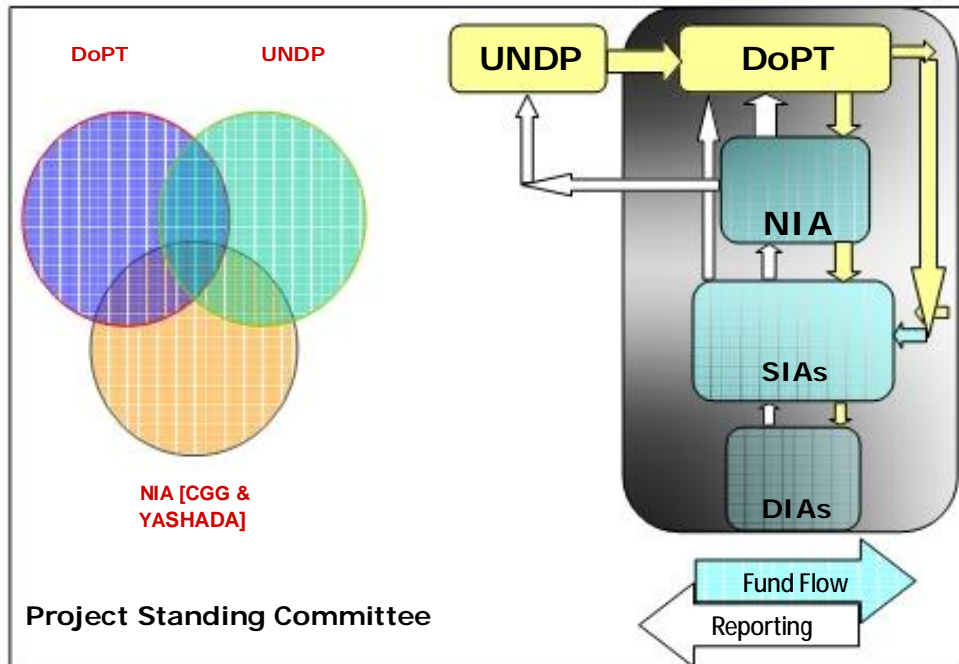


Figure 1: Illustrations of the 'Project Standing Committee' and the Fund Flow and Reporting Mechanisms of the CBAI Project

Project Strategy: The elements of a multi-pronged strategy devised for this project are as follows:

- Strengthening existing institutional capacity at the National, State and District level to service the right to information regime and monitor and enforce its implementation;
- Undertaking sensitisation and rigorous training for public officials at all levels focusing on curriculum development; practicing innovative training techniques; developing a network of researchers and practitioners for sharing ideas and 'best practices';
- Reviewing and reengineering business processes and information management systems of public authorities to facilitate sharing of information;
- Providing a platform for deliberations on the rules and procedures with a view to reinforcing and improving them;
- Launching media campaigns to create and sustain awareness amongst the general public and augment their capacities as information seekers; and

- Providing a mechanism for receiving regular feedback from citizens and civil society organisations and channeling the inputs into the decision-making for bringing about improvements in the RTI implementation regime.

Project Components: The broad components of the Project may be illustrated thus:

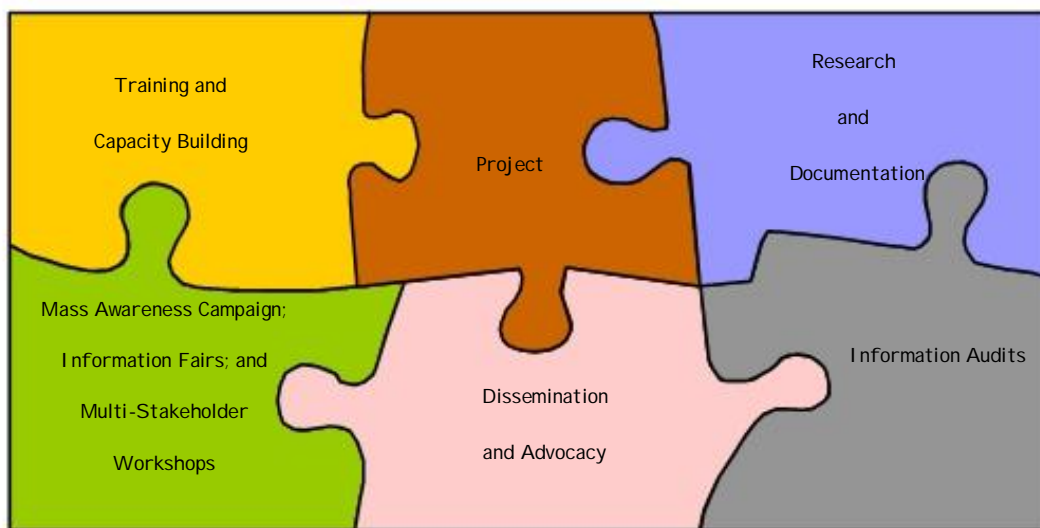


Figure 2: An illustration of the CBAI Project Components

Project Coverage

As mentioned earlier, the Project commenced in 12 States and in its second phase was extended to 16 other States. The table that follows lists out these 28 States as well as the respective project districts.

Project Achievements

To achieve the aforesaid objectives, the Project has been provided the following outputs:

- Action research for preparation of reference material (guides / handbooks / manuals) for almost all kinds of stakeholders from trainers to information officers to first appeal officers to other officials to citizens to representatives of Civil Society (including media organisations);
- A cadre of resource persons and trainers at the national, state and district levels;
- Training / Reference material in local language (and updating it from time-to-time) and organizing / conducting training and sensitisation of official and non-official stakeholders

on generic as well as Department / service delivery-specific issues pertaining to implementation of the 'RTI Act, 2005';

- Directories of Public Authorities at the State & District levels;
- Assessment of the 'Proactive Disclosures' of select key public authorities at the State & District level;
- Various fora for and facilitating networking - from time to time - among the many stakeholders of the RTI regime.

Other Key Activities

- 23 SIAs have compiled 'Directory of PIOs and APIOs';
- 18 DIAs have compiled 'Directory of PIOs and APIOs';
- 'Audit of Proactive Disclosure' carried out for 14 PAs at the state level and 12 PAs at the district level;
- Documentation / Compilation of Case Studies & Good Practices;
- 359 Information Fairs have been conducted (67) by 13 SIAs & (292) in 15 Districts;
- 258 'Multi-stakeholder Workshops' have been conducted (106) by 23 SIAs (152) in 19 Districts;
- Seminars / Talk Shows organized in 13 States and 15 Districts are 106 and 152 respectively.

A host of IEC material has been developed as a result of this initiative. Some of them are:

- Guide for Public Authorities; Information Officers; & Appellate Authorities
- Annual Report of Information Commissions - A Guide
- Guide for Civil Society
- Guide for Media
- Trainer's Handbook
- Citizens' Guide
- Guide for Urban Local Bodies
- Audit of Proactive Disclosure - A Toolkit
- An RTI portal that provides:
 - Freely downloadable soft copies of all Project publications
 - Case Law Directory and FAQs
 - Daily RTI news from various sources received through RSS feeds
 - Articles and Presentations on various aspects of 'RTI Act, 2005'
 - Notes on Events organized in this Project

- Online Discussion Forum
- e-Learning Module
- Online Project Monitoring System

A set of IEC material has also been developed under this project including Folk Art templates; Radio jingles; T V Programmes and an Animation film.

CGG, Hyderabad has also developed a chapter on RTI (in, both, Telugu and English) which was included in the 'Environmental Studies Text Book' for Class V. Similar initiatives have been taken up in other States. Chhattisgarh ATI, for example, was also instrumental in developing a text book chapter for the school syllabus in that State.



Key Issues in Implementation

- Most IAs faced problems due to frequent transfers of the 'Nodal Persons' for the Project
- There were times when certain situations disturbed the work plans at the district level. These were, usually, disaster situations of flood or drought. At times elections (or byelections) to the in relevant constituencies also put brakes on the project-related work for obvious reasons.
- Though, the ATIs were not directly involved in the related activities, project-related work was adversely affected due to rescheduling of dates and / or due to a significant drop in the rate of participation (especially of officials). Some ATIs were more successful in getting around these project-related disruptions, while others could not for several understandable reasons.
- Not all IAs could communicate all their activities to NIA regularly. Several IAs faced the problem of paucity of funds and of human resources. It has been pointed out that the budget earmarked was meager.
- Some IAs could not report regularly through the 'Online Project Monitoring System'
- Some DIAs have been less cooperative with the respective SIAs in reporting their activities
- Some IAs started rather late. Some of these were able to catch up, while others took some more time in carrying out their proposed activities. Some IAs could not keep up the momentum with which they had started, yet were largely successful in meeting their targets and using the project funds productively;

- Sharing between various IAs could have been more - though not necessarily through NIA. This was discussed extensively in the last 'Review & Experience Sharing Workshop'

Meghalaya

The Meghalaya Administrative Training Institute, Shillong had started a project "RTI on wheels" under the UNDP Scheme in the districts of Jaintia, West and East Garo Hills. The aim of the project is to create awareness and help common man to benefit by effectively using RTI. A government vehicle loaded with IEC material in the local languages and Resource Persons from the district headquarters are being engaged for the purpose of spreading awareness about RTI.

*High- Power Committee monitors RTI***Andhra Pradesh**

In the wake of the passage of the RTI Act and its commencement from 15-6-2005, the state government of Andhra Pradesh has taken note of the significance of the Act and its effective implementation at all levels in the state.

To review the effective implementation of the RTI Act and to take spot corrective measures wherever required, Government have constituted High Level Committee under the Chairmanship of the Chief Secretary vide G.O.Rt.No.6412, G.A. (Coordn, GPM&AR) Department, dt. 15-11-2006 with the following officials: -

- | | |
|---|---------------------|
| 1. Chief Secretary to Government. | - Chairman |
| 2. Chief Information Commissioner (APIC) | - Member |
| 3. Chief Commissioner, Land Administration | - Member |
| 4. Spl. Chief Secretary, Finance Department | - Member |
| 5. D.G. & I.G. of Police | - Member |
| 6. Secretary to Govt., Law (Legal Affairs) Department | - Member |
| 7. Director General & Executive Director, C.G.G | - Member |
| 8. Prl. Secy. to Govt., GA (Coordn. GPM&AR) Dept. | - Member / Convenor |

The High Level Committee has been holding periodical review meetings and taking steps to issue appropriate instructions to remove any bottlenecks in the implementation of the provisions of the RTI Act and also to further streamline the functioning of the public authorities in the State.

The State is closely monitoring the implementation of the Right to Information Act and is proactive in identifying gaps and recommending future course of action to build capacities and plan resources.

Haryana

Haryana Government has constituted a monitoring Committee under the Chairmanship of Chief Secretary, to review the action taken on Action Plan drawn up by the Committee for implementation of RTI Act 2005. An RTI Cell has been constituted in Administrative Reforms Department to receive the applications of various departments, to forward these applications to

concerned departments and monitoring of these applications. The Cell is also responsible to update the lists of PIOs / FOs available on website.

Meghalaya

Meghalaya has constituted a "Standing Committee", chaired by the Chief Secretary with the heads of all departments, to provide for coordination, monitoring and review in the implementation of the Act.

Karnataka

The Government of Karnataka too has constituted a High power committee to examine the implementation of RTI in the State and to make necessary recommendations for bringing about the desired improvements.

In the case of Karnataka, it has been pointed out that the decisions of the High-power committee are again routed to the departments for eliciting their views.

This practice, it may be pointed out, does not serve the purpose the purpose of having a Highpower committee, if its decisions are going to involve a consultation with individual Departments.

Jaankari- A Facilitation Centre Approach in Bihar

The Right to Information Act, 2005 empowers the citizens of India to exercise their right to know about the manner and method of functioning of the Government and other public authorities. While it is true that RTI can change the future of India by reducing corruption and facilitating proper functioning of the Government system, it is a fact that awareness about the Act must be increased to facilitate more number of people to exercise their right. A majority of the population in India lives in rural areas which fact makes the task of educating them about RTI a huge task. Further, there is the problem of access to government and its various departments which also needs to be tackled.

The problems of the citizen were identified by the government as:

- Inability of people to fill Form A;
- Lack of knowledge and clarity on the Department to be approached for different issues; • Within Department, the PIOs to be approached is not known;
- With multiple dialects spoken in the state, a need to have an interpreter to translate the same into Hindi, the official language of Bihar was felt;
- Problems of facing officials with queries and/or sending applications would cost without any guarantee of positive response;
- Depositing Rs 10/- not an easy task, with implications for one's time as well;
- Should there not be a positive reply, filing an appeal is an arduous task.

In keeping with all these problems, the government thought about having a facilitation centre approach.

"Jaankari", the Bihar RTI call centre: *Jaankari* is an initiative by the Government of Bihar in partnership with an NGO, *Parivartan*. *Jaankari*, the Bihar RTI call centre deals with all the above issues in a very novel and simple manner.

Procedure for filling "Request for Information"

The common man using this facility need not know how and where to file his application. He need not have any writing abilities. The call centre has two different lines.

1. **Information line (Dial 155310):** The information line can be used by the people to ask any general questions on RTI free of cost. The RHN, as it is known, is an ordinary number with hunting line facility with normal call charges. If any citizen wants to get any help about how to use RTI, they can use this number.

2. **Application line (Dial 155311):** The application line can be used to file an RTI application with a cost of Rs. 10 which is added to the telephone bill of the applicant. This is novel way of receiving application fee which saves significant effort for the applicant in making a Demand Draft or Money Order.

RTI Application Number (RAN) is for filing an application over phone by giving the name, address, the information sought and the department from which sought. The conversation in RAN is voice recorded and also typed on a computer simultaneously by the Facilitation Centre executive receiving the call request. If the citizen does not know the department concerned, then the facilitation centre staff will help them identify it.

Once the RTI application has been thus filled, the Facilitation Centre would confirm its contents with the caller again and then make two copies of it and send the first copy to the applicant. Each of these generated applications would have a unique reference number, which is assigned by the computer S/W itself.

The applicant will receive his reply directly from the PIO within 30 days of applying or else he may make a call to *Jaankari* to file his first appeal. The Bihar RTI call centre has helped streamline access to all PIOs in the State regardless of their level of illiteracy.

Socio-economic benefits: It is for the first time that a Facilitation Centre has been established to benefit the citizens of the state under the provisions of Right to Information. This is a unique experiment, first of its kind in India and is aimed at 'information empowerment' of the people. Various technology issues and RTI knowledge base issues are continuously being handled to ensure quality and coverage.

This innovative use of RTI Act will also promote e-governance by disseminating useful information among the masses, especially the disadvantaged sections. The Government of India in the Ministry of Personnel and Administrative Reforms has recognized this e-governance initiative of Bihar state and has awarded gold medal to the state on 12th February 2009.

Advantages to the Citizen:

- Power of information is just a phone call away;
- No hassles of physical movement to PIO Office for filing application;
- Money saved by way of travel time/ wage loss as well as for making Drafts/ Postal Order from Bank and Post Offices;

- Government bears the cost of the Facilitation Centre, cost of transmitting the application to the concerned PIOs as well as substantial cost on providing the premium call service;
- Writing the application is done by the Executive in the Facilitation Centre;
- Citizen's handicap arising out of linguistic variations could be overcome by the Facilitation centres Executives, who would screen and do the necessary handholding;

Advantages to the Government:

- Empowerment of Common man;
- Application of state of the art communication technologies for providing facilitation to the citizen;
- Man-hour saving for collection of RTI application in individual departments by centralizing the same through Facilitation Centres;
- *Jaankari* announces the positive intentions of the government towards RTI • Introduces transparency in government;
- Creates pressure and enabling environment for government's delivery systems;
- Project data analysis also indicates area of improvement as well as sectors demanding state intervention.

Advantages to BSNL

- Opportunity to exploit technology for public facilitation and empowerment; • Additional source of revenue in terms of revenue sharing;
- Additional popularity among public.

Currently *Jaankari* has been linked with the field level offices. Now application gathered at the call centres are directly sent to panchayat, block and district level officials. This has resulted in less number of appeals being filed in SIC.

There has been some criticism about its implementation from a few quarters that the system on the whole is not reliable and that in situations of crisis, when it could be used the most like in the case of providing relief in the event of a natural calamity, it is either unable to take the load of queries under RTI or is closed down to avoid questions that could be "embarrassing" to the government and or the relief agencies concerned or both.

Certain other pitfalls that need to be avoided are

- telephone lines not working (or getting choked)
- shortage of staff
- lack of other infrastructural support.

Instituting appropriate public - private partnership models for the implementation could be crucial to the success of such initiatives.

Other Help lines

National RTI helpline— 9250-400-100 : The *Manjunath Shanmugam* Trust (MST), formed by members of the international IIM alumni network earlier this year, together with *Parivartan*, a non-government organisation, launched a national Right to Information helpline on the occasion. It will answer queries that ordinary people might have about the RTI Act. The helpline — 9250-400-100 — will be manned by 10 trained personnel seven days a week. It will initially be in Hindi and English, but will soon include Tamil.

Orissa

Orissa Information Commission funded Indian Institute of Public Administration (IIPA), Regional Branch, Bhubaneswar for establishing a RTI Helpline (toll-free telephone) with a view to promoting the cause of Right to Information Act, 2005 by making the people aware of the said Act and providing necessary assistance/clarification on how to seek information from appropriate quarters as well as to get the feedback on the implementation of the RTI Act, 2005. A Memorandum of Understanding was signed on September 11, 2006 by the Secretary to the State Commission and Honorary Secretary, IIPA. (R.B.), Bhubaneswar. The Helpline was inaugurated on November 10, 2006 in the premises of the office of IIPA, Bhubaneswar in Qrs. No.VIC-2/1, Unit-I, Bhubaneswar by the State Chief Information Commissioner, Orissa.

The Helpline (telephone) number, which is toll free, is 1800-3456777.

The person attending telephone calls receives queries from the people through various channels like e-mail/telephones and after examining such queries communicates the information / guidelines to the person concerned. Provision has been made for books, journals, literatures and reports relating to the RTI Act, 2005 in the room earmarked for the Helpline.

India's First Transparent Office

Information Technology & Communications Department, Government of Andhra Pradesh has launched India's First Transparent Office. Citizens can access documents, files, orders and status of applications, and so forth, online, anywhere and anytime by visiting the office at < <http://kmbank.ap.gov.in>>. Other departments in the State are expected to follow suit.

Sri Suresh Chanda, IAS, Secretary to Government, had spearheaded this transparent revolution in Andhra Pradesh. And this is just one of the many initiatives taken by the Andhra Pradesh Government to make governance accessible to the people.

Other initiatives include:

- All the Government Orders are being made available at < <http://goir.ap.gov.in/Reports.aspx>>
- Entire Gazette is being made available at < <http://gazette.ap.gov.in/>>
- Citizen to Government Interface, to enhance responsiveness among public authorities, was developed by the Centre for Good Governance at < <http://webapps.cgg.gov.in/gms/welcome.do>>, which enables citizens to register their complaints online and know status of the complaints.

India's First Transparent Office at
<http://kmbank.ap.gov.in> →



←

Access all the Government Orders at
<http://goir.ap.gov.in/Reports.aspx>





← Entire Gazette is being made available at <http://gazette.ap.gov.in>



Citizen to Government Interface at <http://webapps.cgg.gov.in/gms/welcome.do> to register complaints online and know status of the complaints.

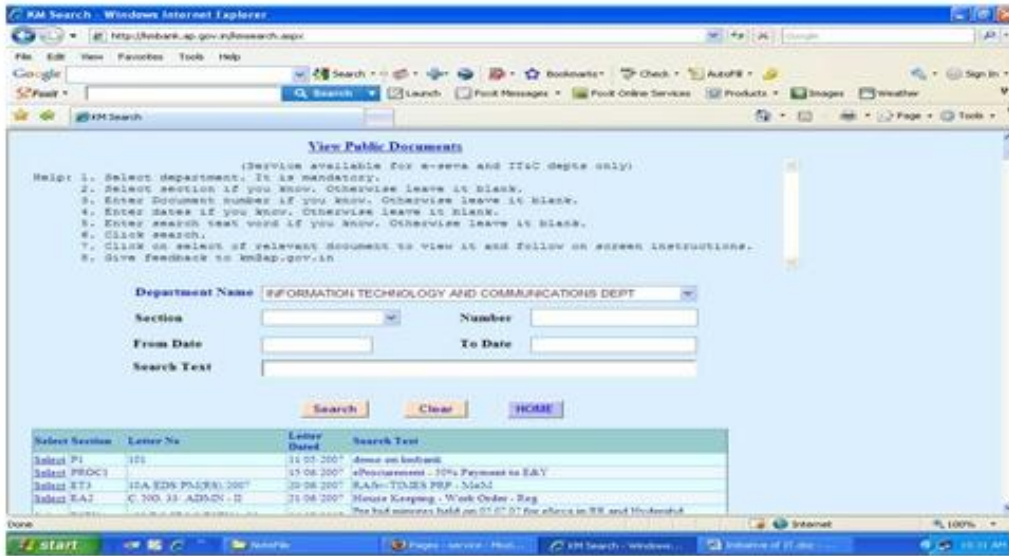


Voluntary disclosure of information - an initiative by IT&C dept., GoAP

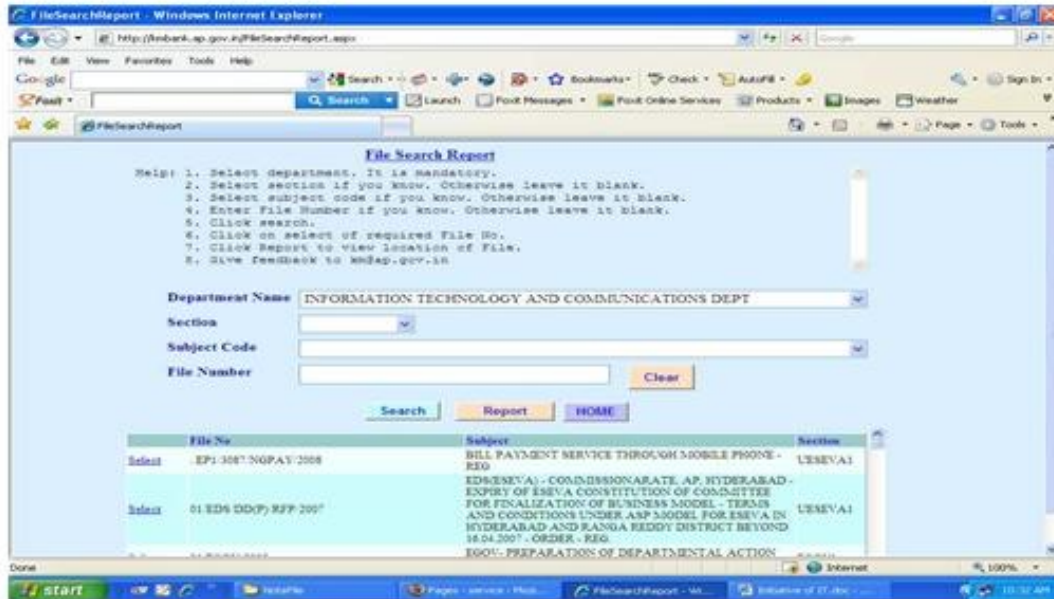
The IT&C department of Government of Andhra Pradesh has taken the initiative to disclose all documents of the department including file notings to the public through its website. The URL for the site is <http://kmbank.ap.gov.in>

Salient features of the site are:

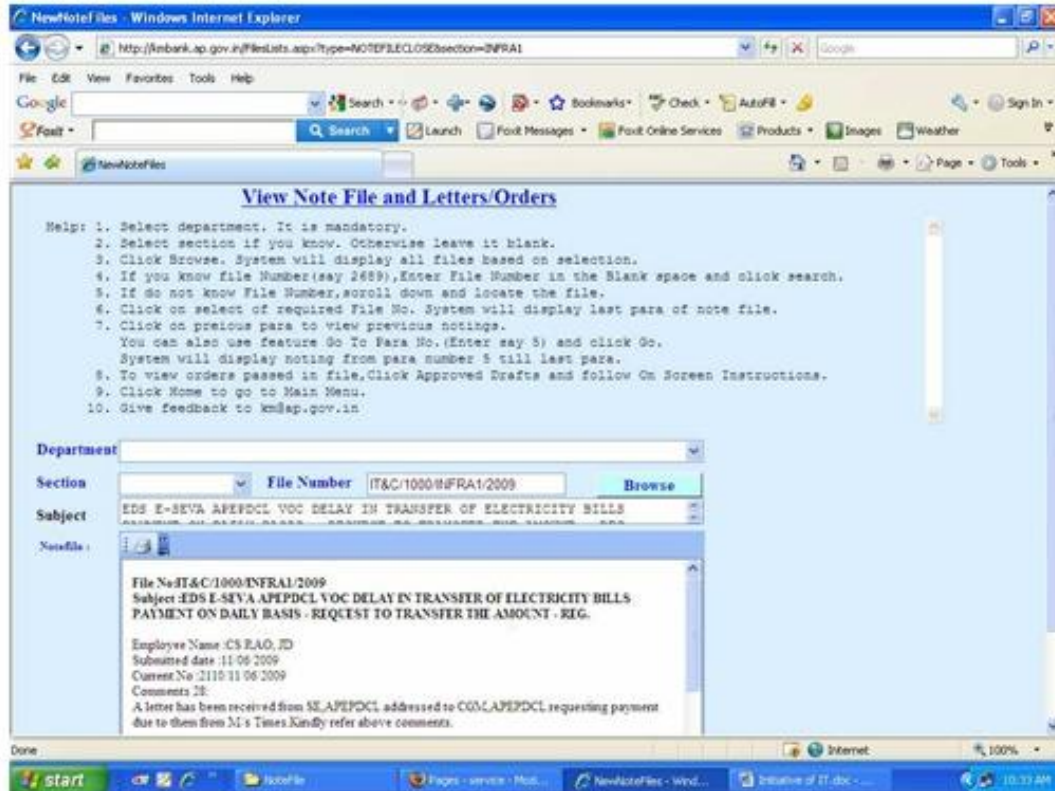
- **View Public Documents:** Any user can access the documents like minutes of meeting, government orders, memorandum of understandings, letters etc., placed under 'public documents' link and download the same. Search facility based on 'section wise, period wise' can be made.



Locate File: various files in the department can be found out with this search facility,. This gives the subject, section, file no etc.,



- **Note File:** Under this facility the complete notings are made available. The user can select the respective section and then all the note files under that section are made available, on selection of particular file the notings will be displayed on the screen and the user can take print of the note file also. The department can mark some files as confidential and in such case that note file will not be shown to the general public,



*District Offices get pro-active***Himachal Pradesh**

The Himachal Pradesh Annual Report reports of a district office that has taken active interest in pro-actively disclosing information on the website.

A suo motu disclosure document in respect of Deputy Commissioner, Kullu has been prepared in compliance to the requirements of Section 4 (1) (b) of the RTI Act, 2005. This document is available for access by common public and has also been put on the district website. The list of PIOs, RTI application templates (both for application and inspection), important social and economic data of the district, sub-divisions and blocks etc. has been provided on the district website.

A Right to Information Centre '*E-Soochna*' has been made functional at the Deputy Commissioner Office, Kullu on 29th March, 2007. Here an effort has been made to integrate e-Governance with Right to Information.

Under this Centre, the following three main activities have been started:

- a) *e-Soochna* Touch Screen Kiosk
- b) Public Information Display Boards
- c) Right to Information Document

a) *e-Soochna* TOUCH SCREEN KIOSK

A Touch Screen Kiosk has been installed containing various kinds of vital information for use by public. The Touch Screen Kiosk can be accessed for having information of the following kinds -

1. Himachal Pradesh - Achievements
2. Kullu district at a glance
3. List of *Panchayati Raj* representatives of three tiers (*Zila Parishad, Panchayat Samiti, Gram Panchayat*) along with their addresses
4. Rural Development Schemes of the Govt. of India and Govt. of HP - their objectives, modalities, procedures etc.

5. Panchayat-wise list of ongoing rural development schemes along with their head, sanction date, sanctioned amount, amount spent till date and present progress of the scheme
6. Administration and Police details
7. Right to Information -

It contains:

- i). The Right to Information Act, 2005 and HP Right to Information Rules, 2006
 - ii). List of Public Information Officers and Asst. Public Information Officers of District Kullu iii). Voluntary Disclosure Document of Deputy Commissioner Office, Kullu
8. Blood Donors List
 9. Tourism in Kullu - important places, temples, tourist guide etc.
 10. Details of Driving Licenses etc.
 11. Details of Vehicle Registration etc.
 12. Red Cross - main activities, projects etc.
 13. Shortly, other important things like the Voter List, BPL list etc. are also being added in the Touch Screen.

b) PUBLIC INFORMATION DISPLAY BOARDS

Various Display Boards have been put up inside and outside the Office of the Deputy Commissioner, Kullu and all the four offices of Sub-Divisional Magistrates (Kullu, Manali, Banjar, Anni) and all the 5 offices of the Block Development Officers (Kullu, Banjar, Anni, Nirmand, Naggur) of the district Kullu. These Display Boards contain vital information required by public for use in getting their works done from the offices.

Mainly, Display Boards have been put up containing the following information -

- District Kullu at a glance
- Sub-Division at a glance
- Block at a glance
- Right to Information - how to access, PIO/APIO of that office, procedure etc. •

Check list for registration of Motor Vehicles

- Arms Licenses - Procedures, Fees etc. for new license, renewal, duplicate license etc.
- Important information about Elections, Voter Lists, important forms and Electoral Photo Identity Cards

- Check list of documents required for various kinds of certificates (income, domicile, caste, character, unemployed, legal heirs etc.)
- Documents required for issue of various licenses/renewal/duplicate licenses etc.
- Schedule of fees for various kinds

c) Right to Information Document

A Right to Information Document in respect of Deputy Commissioner, Kullu has been prepared in compliance to the requirements of Section 4(1)(b) of the Right to Information Act, 2005. This Document is available for access by common public.

These Right to Information Documents have also been prepared for all the 5 Block Development Offices also.

MAIN BENEFITS OF THE ABOVE INITIATIVES

- Easy and cost-free availability of vital and useful information to the common public •
Increase in transparency
- Enhanced efficiency in the working of the administration at the cutting edge level of government
- Saving in the time of the common public in getting their work done •
Saving in the time of the staff of the office
- Monitoring over the progress of the development schemes in various Panchayats of the district.

This 'E-Soochna' Right to Information Centre will act as a one-stop-solution not only for providing important information to the common public in respect of various works done from government offices but also of the important development activities and their progress.

Chattisgarh constitutes monitoring committees at District and sub-district levels

The State Information Commission of Chattisgarh has recommended to the state government to constitute monitoring committees or *Soochna Samitiyan* at the district and block levels to monitor the progress of interventions made under the CBAI project. The initiative has been taken up in the two project districts in Chattisgarh namely, Bilaspur and Rajnandgaon. Efforts are also made by authorities to accord these committees some sort of statutory status.

Nagaland tops RTI survey list

A 'National Assessment of the degree of compliance to *suo-motu* disclosure provisions under RTI Act 2005' conducted by Public Affairs Centre, Bangalore, has shown that Nagaland is at the top in terms of *suo-motu* disclosure by its Public Authorities.

The survey identified Nagaland as being RTI compliant especially in *suo-motu* disclosure of its Public Authorities with 62% followed by Delhi (56%), Bihar (55%), Punjab (51%) and AP (49%). The survey further showed that Jharkhand, Arunachal Pradesh and Assam had a zero percent score, as seen from their respective websites.

The same survey has shown that Department of Commerce and Ministry of Panchayati raj top scored with 87%, while Ministry of Agriculture and Cooperation and Ministry of Environment and Forest at 11%. Ministry of Housing and Urban Poverty Alleviation contained no information whatsoever, as the website contained no information. The survey conducted in December 2008, took a view of 500 websites to arrive at the findings.

Nagaland IC: A good practice followed by the Nagaland Information Commission is that it has arranged for all the voluntary disclosures of PAs under S. 4(1)(b) to be uploaded on the SIC's website.

This has been done, as the AR (2007 & 2008) of the Commission says, in view of the fact that only few of the PAs have launched a website of their own and many are yet to publish their voluntary disclosure in print media.

Citizens can view the information by accessing the SIC's website at www.nlsic.gov.in

Nagaland tops RTI survey list

BANGALORE, MAR 9 (PTI) Central Government Ministries were found to display the highest compliance with the 'suo motu' provisions in the Right to Information (RTI) Act with a score of 53 percent followed by state governments at 28 percent and Union Territories at 19 percent.

A study conducted by Public Affairs Centre (PAC), whose report was released by former Chief Justice of Supreme Court Venkatasudhan, today revealed that Nagaland topped the chart with a compliance score of 62 percent followed by Delhi (56), Bihar (55), Punjab (51%) and AP (49%).

Jharkhand, Arunachal Pradesh and Assam had a zero percent score. Uttarakhand at three percent and Kerala at six percent joined the list of the least compliant states, as per the 'National Assessment of the Degree of Compliance to suo motu Disclosure Provisions of the RTI Act 2005' conducted by PAC by studying the websites of all these departments.

Department of Commerce and Ministry of Panchayat Raj top scored with 87 percent followed by Ministry of Agriculture and Cooperation and Ministry of Environment and Forest at 11 percent. Ministry of Housing and Urban Poverty Alleviation had zero since the website contained no information whatsoever across most provisions. "Suo motu disclosures by public authorities", said Dr Manjusha Sadashiva, Joint Director, PAC, and it minimises public resorting to the Act and thus reducing the time and resources spent by citizens for getting information through filing applications.

The study covering 500 websites of various public authorities for suo motu disclosure under section 4(1) (b) of the RTI Act 2005, found only 366 websites were functional, said Poja Bodanath, part of the team that conducted the study over December 2008-January 2009 period. The study covered 12 central ministries/departments and 16 departments each of the 28 state government and six union territories and the central information commission and state information commissions of 27 state governments.

Among Union territories, Lakshadweep and Chandigarh and Nagaland obtained zero percentage while Puducherry at 35 percent and Chandigarh at 41 percent were top scorers. Karnataka, one of the leading states in IT, ranked 13th among the 28 states with a below average performance, said Manjunath. Though most of its departments had a website they were not regularly updated, added Poja.

Salient conclusion of the assessment were low compliance resulting from weak political will and administrative commitment, indifference of public authorities, failure of bureaucracy, lack of accountability for implementation, proliferating categories of information, expediting pace of cataloguing, forwarding and communicating records, incentives for disclosure and penalty for those not doing it, they said.

Nirmal Gujarat Program and RTI, Gujarat

A special drive initially under RTI Implementation campaign and thereafter under ***Nirmal Gujarat Program*** was undertaken to classify and proper up- keeping of the existing records. As a result, all the state government offices have verified, classified, indexed and scientifically rearranged their records. This has been very much helpful to the employees in tracing and locating the information sought by the citizen. During the period, following massive work has been completed.

Record disposal and classification during <i>Nirmal Gujarat Program</i>					
Department	Records disposed No. of files	Record classified No. of files	Department	Records disposed No. of files	Record classified No. of files
Agriculture	378641	124143	Legislative	2612	116
E & PC	230189	60103	Legal	5821	2121
Education	39310	2196	Narmada Water	60224	19216
Finance	884380	194195	Panchayat	133479	126087
Food & CS	20201	7161	Ports & Transports	3232763	1533335
Forest	367634	82100	Revenue	620880	149080
GAD	74137	3182	R&B	33958	10480
Home	471638	52140	Sports	110036	16835
Health	0	3179	SJED	12755	7246
Industries	230556	70149	Tribal	973	1229
I&B	31994	7178	UDD	70217	27350
Labor	27809	52120	Waters	41331	15854

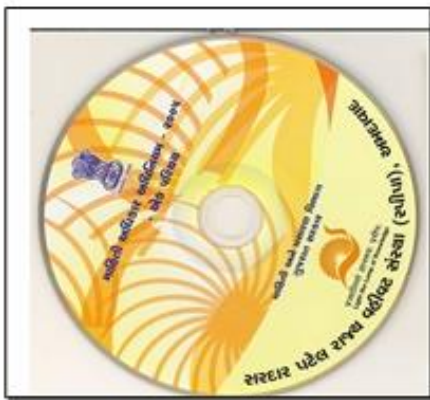
WCDD	870	606			
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“RTI Help Desks” manned by 2 trained and skillful employees were set up at all *Jan Seva Kendra* i.e. District Collectorate and City Civic Centres i.e. Municipality and Municipal Corporation to help the citizen in preparing their applications under RTI.

Open House Consultation: Government of Gujarat has also started Open House Consultation with Civil Society Organisation (CSOs) at district level. This was initiated in the districts of Narmada and Panchmahal.

Fairs and Festivals: Government has also used the occasions of fairs and festivals like *Tarnetar* fair and *Janmastmi* festivals to popularize RTI Act. A month long, *Krusha Mahotsav* which is unique in its kind, was also leveraged with RTI slogans on the *rath* that traveled all the villages of the state.

District Champions: SPIPA on behalf of and with financial support from GoG, crafted a communication strategy and prepared a mass awareness program. Accordingly, SPIPA's 15 resource persons were assigned specific districts for coordinating and monitoring the task of mass awareness program through government machinery and civil service organizations. Accordingly, officials have extensively travelled across the state and visited all the *taluks* (blocks) and number of villages.



Interactive film on RTI: SPIPA has prepared one hour film on RTI highlighting the major provisions and its interpretation as well as procedural aspect of the Act in local language and dialect the same with the help of Information department. Similarly SPIPA also got prepared posters, booklets and pamphlets for wider distribution and dissemination. So far, SPIPA has distributed 20,000 CD of the film, 25000 pocket Books, 250,000 booklets and 3.5 lakh pamphlets covering all the villages, towns and wards

of the cities as an RTI Kit.

***Gramastha Din -Streamlining Administration for Improved Service Delivery in Nashik,
Maharashtra***

Nashik Division is one of the six divisions of India's Maharashtra state. It consists of five northern districts of Maharashtra namely, Ahmednagar, Nashik, Jalgaon, Dhule and Nandurbar. The Division has total population of 15.77 millions. It has 16 Sub-Divisions, 54 *tehsils*, 6583 villages & 4886 *Gram Panchayats*.

Background: The single most important problem in administration has been that Government schemes and services do not reach villagers for whom they are intended. It has been found that people in the villages have very minimal knowledge, understanding and involvement in Government schemes, even those that are being implemented for the last 50 years. This, in spite of the *Panchayat Raj* System.

Need for time relevant mechanism: The primary cause of this is non-proactive and nonresponsive village level government machinery like *Talathi*, *Gramsevak*, and similar village level officials of different Government departments. There is huge gap in terms of distance, knowledge, procedural and also psychological, between Government machinery, schemes and people at large. The existing mechanism to control and supervise these village functionaries by hierarchical inspectorial system is outdated and is not delivering desired results.

Gramastha Din Scheme: In an attempt to streamline the administration for improved service delivery a new project "*Gramastha Din*" meaning thereby a day of villagers has been devised.

Background: This project is outcome of search of the mechanism for bridging the gap between people and schemes, by making village level machinery functional and which becomes self sustainable & independent of inspectorial mechanism. Thus we thought how *Talathi* would be more responsive and accountable to villagers, how to ensure that teacher would regularly attend school, how to make Agricultural Assistant inform villagers about agricultural extension and so on.

Operationalising Proactive Disclosures: Thus the scheme of *Gramastha Din* was conceived whereby all village level Government functionaries of various departments come together on designated day and publicly and openly give account of their work to villagers at large. The whole scheme is envisaged to operationalise the spirit of 73rd Amendment to Constitution of India of empowering local self government, and implement the provisions of Proactive Disclosures in Right to Information Act 2005 at grassroot level.

Aims:

- To make each village level functionary of Zilla Parishad and State Government accountable to people at large in the villages by giving open and public account of their performance.
- To proactively make aware the Villagers about Government schemes, services, benefits and procedures thereof and the functioning of the village level officers.
- To ensure participation of villagers in different Government Schemes by better understanding of village level functionaries and their schemes.
- To make people and village level Government functionaries jointly and openly responsible for proper functioning of village level institutions.

Objectives:

The objective of this project is to bridge the gap between the Government services, schemes and villagers by activating village level Government machinery and thereby improving service delivery and make village as such responsible for its own development by involving villagers in different Government schemes. Another objective is to have effective grievance redressal of the village level problems.

Strategies adopted: Three pillars of *Gramasth Din* Project has been identified:

- All village level functionaries like *Talathi*, *Gramsevak*, *Anganwadi Sevika*, Health Worker, Police *Patil*, Forest Guard, Surveyor, Representative of Water Resources Dept., Secretary of Co-operative Credit Society, Head Master of Primary School, Agricultural Assistant etc
- *Gram Panchayat*
- Villagers at large - like *Gram Sabha*

Gramastha Din is held in each and every *Gram Panchayat* once in two months under the chairmanship of a specially deputed officer from *Tehasil* known as *Palak Adhikari*. All village level officers attend it under the leadership of a *Palak Adhikari*. All villagers and their representatives are invited through a public announcement to participate in the *Gramastha Din* meeting. Special *Gram Panchayat* meeting is officially convened.

Three phases of *Gramastha Din*: *Gramastha Din* is held in three phases.

- (a) Public Review Phase (Proactive Disclosure Phase)
- (b) Grievance Redressal Phase
- (c) Social Audit Phase

Public Review Phase: *Palak Adhikari* makes each and every village level officer give thorough account of his/her work, pendency and proposed work. For each and every village level functionary review formats have been devised and prescribed from Division level. Village functionary is supposed to give account in the prescribed format. Thus *Talathi* gives information about pendency of mutation entries, application for record of rights, details of rations cards and so on. Similar information is given by all village level officials. General information about schemes, procedures, benefits, etc. is also given by each and every village level officials about their work and scheme and about how to take benefits of different development schemes. It is first time in the history that villagers are getting to know their own pending work and issues in public forum.

Grievance Redressal Phase

It is an interactive session of villagers raising their problems, complaints, suggestions, ideas, and problems are noted down in writing. In a register names of all *Gramastha* attending *Gramastha Din* are noted, their signatures are obtained, signatures of all village officers are also obtained and a proceeding is drawn. Account of complaint received and resolved is also prepared. Those complaint which can be sorted out in the village are sorted there and there itself. The issues that cannot be resolved locally are passed on to *Tehsil* or District level.

Social Audit Phase

In this phase groups of village level officers and villagers are formed to visit village level institutions. These groups visit Anganwadi, Primary School, Health Centre, Fair Price Shop, Kerosene Distribution Centre etc. and carry out inspection i.e. social audit. It is also checked whether adequate food grains are available, the rate chart is displayed, PDS supplies are sold at Government fixed rates, that adequate medicines are available in Health Sub-Centre, teachers attendance, school drop outs, mid-day meal scheme, supplementary nutrition to children in *Anganwadis* etc.

Implementation of *Gramastha Din*

As the scheme ultimately has to reach and involve lowermost level government functionary, it required massive planning and systematic implementation. All Government departments right from the Division level and the District level were taken into confidence. All Divisional Officers at Divisional Level were involved. District Collectors are main Implementation Officers at the district level. All Government departments are actively involved. Scheme booklets have been prepared and distributed right up to *Gram Panchayat* level. Proper orientation has been

conducted by Division level, District level and *Taluka* level officers. Special training and mock trials have been organised for *Palak Adhikaris*.

Involvement of elected representatives: Massive mobilization of elected representatives particularly of *Panchayat* Raj System has been done. Orientation classes of all *Sarpanchas* were conducted. It is mandatory to call *Gram Panchayat* with *Gramastha Din*. Letters have been written to all MLAs informing them about the scheme.

Information, Education and Communication: Village level public announcements are made regarding *Gramastha Din*, banners are put up, written material distributed to each and every village. A book compiling all Government scheme has been published which is disseminated. This scheme has caught massive media attention and the media has given widespread publicity to this scheme. Immediately after every Wednesday, most of the newspapers cover *Gramastha Din* reporting.

Touring Day: Wednesday is declared as compulsory touring day for all Government supervisory officers of the Division.

Monitoring: *Palak Adhikari* prepares proceeding and sends a report to *Tehsildar* along with the list of problems which cannot be resolved at village level. *Tehsildar* calls a *Gramastha Din* Co-ordination Meeting on first Monday of every month. Meeting is attended by *Taluka* level officers of all Government Departments. Problems list submitted by various *Palak Adhikari* is discussed and resolution is attempted. *Gramastha Din* scheme implementation is also reviewed in the meeting and feedback is sent to District Collector and the Divisional Commissioner's office.

Innovative methods used: For the first time a forum has been made available to all village officers to come together and work in a coordinated fashion. Proactive, transparent and open disclosure of government work is put forward before *Gram Panchayat* and people and before all colleagues. Social Audit of village institutions by groups of village officers and villagers jointly. Grievances or complaints resolution of which is possible at local level are resolved on the spot. Otherwise they are brought before the *Tehsil*, district and Division level officers.

Period of the Project Initiative / Implementation: Pilot project launched in 6 *tehsils* of 5 districts from 1st January 2007 to 30th April 2007. Actual implementation of *Gramastha Din* Scheme started in entire Division i.e., 5 districts consisting of 54 *tehsils* and 4886 *Gram Panchayats* started from 1st May 2007

Positive Outcomes: This scheme has extensive coverage and has reached 5 districts consisting of 54 *tehsils* and 4886 *Gram Panchayats*. This scheme involved about 64821 village

level Government functionaries, 3787 *Palak Adhikaris* and 203 touring officers in 5 districts. Over 10 lakh villagers have actually attended the *Gramastha Din*. Large-scale mobilization of Government functionaries and people at large has been achieved. There are remarkable changes in checking malpractices in Public Distribution System. In *Gramastha Din* meeting - Fair Price shop-keeper is made accountable to *Gram sabha* to reply to complaints. Pressure of public exposure and open scrutiny has created miracles and the number of complaints on the PDS has come down drastically. There is consciousness on the part of the teachers and village level officers that their attendance is being monitored. Availability of medicines and other essential items in Public Health Centre is being watched. There is phenomenal demand for the schemes like *Indira Awas Yojana*, BPL Ration Cards, Agriculture implements. People are showing interest in various schemes of Agriculture Department.

Gramastha Din is a process of making village level functionaries accountable to people and empowering people too. Thus it is expected that the demand would be generated for various beneficiary schemes improving target achievement of scheme. *Gramastha Din* is expected to improve the efficiency of village level officers in terms of their disposal. Villagers are proactively informed on working, procedures, pendency and all other issues by each village officer. Information of schemes and development programs is also given and community empowerment is achieved. Villagers are getting aware of holding village officers accountable. They have complained about their absence fearlessly. Fixed day visits have been made public. Hence local level problems are getting resolved.

The scheme was conceived, support gathered, teams galvanized, stakeholders convinced and introduced and then the model was envisaged to be sustainable. The scheme "*Gramastha Din*" meaning thereby 'a day of villagers', canvassed administrative machinery and garnered community support. It involved all Government instrumentalities dealing with education, health, power, shelter, co-operative credit, land records, agricultural extension, irrigation and all other community needs. The villagers the core stakeholders have welcomed this scheme for they are getting through the schemes that they require. Increased attendance of villagers in *Gramastha Din* shows the utility of the scheme.

SMS MONITORING

District Code	-	Two Digit
<i>Taluka</i> Code	-	Two Digit
<i>Gram Panchayat</i>	-	Three Digit
Date Code	-	Six digit
<i>Gramastha</i> present	-	Three digit

Complaint received - Three digit
 Complaint resolved - Two digit
 Complaint pending - Three digit
 Absent *Gram Adhikari* - Y - All present
 - No - Code 01-01

Sustainability of the initiative: Sustainability of this project is inbuilt as the theme of the project is to actively encourage villagers i.e., people and mobilize them to take part in the actualization of affairs relating to development of village. It concentrates on proactive disclosures by Government officials, accountable to villagers and this ensures efficient delivery of public services. Villagers are getting convinced of its utility, and it seems people demand such public hearing mode *Gramastha Din* Project which has the potential to get institutionalized. Compulsory touring day for all District/*Tehsil* level and field level officers ensure that *Gramastha Dins* are held properly. Extent of grievance redressal and reaching of benefits of schemes to people will make this scheme sustainable. The Government of Maharashtra is being moved to take policy initiatives to make this project applicable throughout the state. If this happens then it would be implemented as regular Government Scheme.

Pro-active Information Commissions:

Apply online and be informed: Initiative by CIC - the Central Information Commission has recently made the provision for applying online and being posted of the developments on the status of the RTI application.

IEC by Uttarakhand Information Commission: The Uttarakhand Information Commission has brought about several publications in both, English and Hindi for dissemination among the officials and civil society. The publications are in the form of newsletters, guidebooks and manuals.

Also, the Commission through a notification set up a 'Standing Committee for Qualitative Improvement' in the information provided by all Public Authorities as required by clause (b) of sub-section (1) of section 4 [hereinafter called the 17 manuals]. The Standing Committee consists of officials, advocates, civil society actors, academics from reputed law college in Uttarakhand, a retired IAS officer and the State Coordinator of the RTI cell, Government of Uttarakhand.

The Committee is required to undertake the following:

- Review and offer its suggestions for improvement on the existing 17 manuals on a reference being made by the Information Commission;
- Offer its considered comments on complaints received on the qualitative aspects of the existing manuals to the Information Commission.

The tenure of the committee was planned to be for six months and extendable from time to time.

Meeting the challenge of dialect(s) - IEC in Orissa: As a significant percentage of the State population are Scheduled Tribes, the State Commission translated the Frequently Asked Questions (FAQs) on the provisions of the RTI Act, 2005 and the Orissa Rules framed there under prepared in Oriya into eight tribal dialects in Oriya script viz: *Santali, Sadri, Munda, Kui, Kuvi, Koya, Saora, Desia* and got them printed for distribution among the tribal people of the State in order to enlighten them about the utility of the Act and the Rules. Besides, four posters on Right to Information Act prepared in Oriya were also translated into tribal dialects and printed for display in the premises of various offices implementing several programmes of the Government and commonly visited by the people of the locality.

Annual Reports compiled and published: While several states are yet to bring out their first Annual Reports into the public domain, a few states have done so meticulously. Orissa, Himachal Pradesh, and Andhra Pradesh have brought out three reports while, Kerala (brought out 2), Karnataka, Uttarakhand, Maharashtra, Meghalaya, Punjab and CIC have brought out their Annual Reports.

SIC ranks Public Authorities by compliance - Uttarakhand

The Uttarakhand Information Commission has developed criteria for reviewing the compliance of the Public Authorities in the state. Indicators have been identified by the Information Commission and the officials on the RTI ranking matrix. These indicators and the weightage given to the same in brackets are as follows:

1. Existence of RTI Cell (1)
2. Registration of RTI applications (1)
3. Usage of standard formats and (2)
4. Fee receipt book (1)
5. Information Board (1)
6. Contact details of PIO, APIO, AA (5)
7. Departmental RTI disclosure manual(5)
8. Information on Annual report (1)
9. Maintenance of records (1)
10. Compliance to UICs directions (1)
11. MPR to the UIC (5)
12. Training (3)

TOTAL: 27

S No.	Department	Indicator 1 -12	Total	Rank
1	Dept. of Forests		25	1
3	Silk Board		24	3
4	Power Corporation		24	5

In the manner described above, UIC has ranked 76 Public Authorities in the state. While doing so, it has provided significant feedback to the departments (especially those lagging behind), on conducting training and polishing procedures and systems, so as to be RTI compliant. The rankings are discussed and action points identified for necessary follow-up. The ranking is done on a monthly basis.

Prioritizing Public Interest Cases (PIC), Orissa

During disposal of applications and Second appeals the Orissa State Information Commission perceived two types of disputes; one involving public interest and the other individual interest of citizens. Having found as such the State Commission made endeavour and decided to accord priority to disposal of public interest cases by putting an identifying mark on the case record as "PIC". That is how cases involving interest of the Public at large were expeditiously attended to on a fast track basis, though on an *inter se* first-cum-first-heard basis, subject to the proviso u/S.7 (1) involving life or liberty of an individual.

The State Commission has decided to accord priority for disposal of public interest (PICs) and urgent cases on fast track basis.

Division Bench for impartial judgments on imposing penalty, Orissa

The Orissa State Information Commission took a decision that cases involving imposition of penalty on erring PIOs/referred PIOs will be heard in the Division Bench (and not by the single bench !) so that the considered opinion of the State Commission can be reflected in the decision.

The principle of natural justice i.e. providing adequate opportunity to the erring PIO/ referred PIO to establish that he/she had acted reasonably and with due diligence has never seen any deviation. The erring PIOs who without any reasonable cause have violated the provisions of Section 7(1) of the Act by not providing information within the stipulated maximum period of 30 days have been taken to task by the State Commission by imposing penalty on them in accordance with the provisions of Section 20(1) of the Act.

1. Subject to the provisions contained in Section 20(1) of the RTI Act, 2005 cash penalty is imposed on the erring Public Information Officers (PIOs for short) and the officials of the Public Authority treated as PIOs u/S 5(5) of the Act. As per Rule 9 of the Orissa Right to Information Rules, 2005 (Rule for short) such PIOs may deposit the penalty amount by treasury *challan* under the appropriate receipt head of the State Budget within a period of 30 days failing which the amount shall be recovered from the salary of the Officer concerned. Thus, the responsibility of recovery of the cash penalty imposed also rests with the Head of the Public Authority by whom such Public Information Officers have been designated u/S 5 of the Act.

2. Additionally the recovery of the cash penalty imposed on such PIOs is also monitored at intervals by the Secretary, Orissa Information Commission by holding regular meetings with the officials of the concerned Public Authorities.

GRAMSAT Programme - Reaching out to all in Orissa

Using satellite INSAT-3B facilities in which GRAMSAT works under extended 'C' Band, the State Commission held 2 interactive sessions with the help of Orissa Remote Sensing Application Centre (ORSAC) on December 2,2006 and February 2,2007 from 10.30 AM to 1.30 PM on both the occasions.

These interactive sessions were chaired by the Hon'ble SCIC, Orissa and attended the SIC, , Secretary to the State Commission and the Registrar as the other participants. This was organized to clarify the doubts of the functionaries of the Public Authorities/ offices on the provisions of RTI Act, 2005 and Orissa Rules 2005 framed and ensure immediate effective implementation. There was overwhelming response to these programmes evident from the large number of clarifications/ queries from the participants. They even requested on-line to hold such sessions more often. This exercise was also found to be cost-effective.

Institution of RTI Running Shield - motivating Public Authorities, Orissa

The State Commission decided to institute "RTI Running Shield" in Ravenshaw University, Cuttack to promote Annual Inter- University Debate Competition in English on any topical subject matter for the purpose of popularizing the cause of Right to Information.

Know your RTI application status: Short Message Service (SMS) in AP Information Commission

SMS facility is implemented in APIC to facilitate the applicants/appellants to know the status of their complaints/appeals/petitions through mobile phone.

Whenever an applicant files an appeal/complaint with the commission, he/she is given an acknowledgement with a unique_id, year-wise. The applicant uses this id for tracking the status of his /her application on mobile.

The applicant sends SMS by typing "Apic RegNo Year". Ex. "Apic 125 2009" to 9989651152. The SMS modem which receives this message sends it to the server and the server processes the request and sends back the status of the appeal to the SMS modem. The SMS modem then sends the status message to the applicants through a return SMS.

The response to the applicant is received as either of the following: Under process" - When the application is in process; "Disposed Off" - When the application is disposed;

"Taken on file for Hearing" - When the application is posted for hearing by the IC. Time taken for receiving the response is less than 3 min depending on the strength of the signal at the user end.

The benefits of the system are:

- Citizen's ability to track the disposal status of an application
- Convenience of accessing it 24 x 7
- Remote and real-time access to disposal-related information.

Powered by Centre for Good Governance, this facility is made available to all within the jurisdiction of Andhra Pradesh, who has made an appeal to APIC.



Landmark orders passed by Information Commission(s)

Goa Information Commission

In a landmark order issued by any Information Commissions in the country, in 2006, the Goa Information Commission has passed strict orders of compliance to the Government of Goa, by pulling up the responsible department for its lackluster attitude towards implementation of the RTI Act in letter and spirit.

The interim orders passed on 23-8-2006 mention the lack of timely actions from those responsible to ensure that RTI Act is complied with, have pointed towards ineffective ways of responding to the State Information Commission's orders and non-compliance and oversight of its directions, resulting in publication of list of PIOs, APIOS and AAs erroneously.

The orders seek clarification on the part of the department responsible for compiling the list - in this case the Director and Ex-officio Joint Secretary of Goa, (Information and Publicity dept.) - and seek clarifications on the errors and corrections to be effected at the earliest. This order of the Goa Information Commission is considered as a best practice for setting the tone for effective implementation of the RTI Act and the seriousness of the business to do so.

Central Information Commission, Delhi

The Central Information Commission has ruled that names of corrupt government officials cannot be withheld on pretext of privacy under the Right to Information law.

The ruling came after the Delhi government's Home Department refused to provide information on officials against whom prosecution sanction was granted or had been sought. An RTI applicant had asked for the information on the same.

Information Commissioner Shri Shailesh Gandhi opined that if charges were substantiated, the information no longer stays private.

Decentralizing Information Commissions within a state, Maharashtra

Maharashtra State Information Commission has established its Offices at other places in the State, headed by the State Information Commissioners as follows:

- 1) State Chief Information Commissioner (SCIC) - Dr. Suresh Vinayakrao Joshi
- 2) State Information Commissioner, Pune - Shri Vijay Kuvalekar
- 3) State Information Commissioner, Aurangabad - Shri Vijay Borge
- 4) State Information Commissioner, Nagpur - Shri Vilas Patil
- 5) State Information Commissioner, Konkan - Shri Navin Kumar
- 6) State Information Commissioner, Greater Mumbai - Shri Ramanand Tiwari.

Besides, Dr.Joshi has also proposed a second post of an information commissioner in Pune. However, Dr.Joshi has so far been unable to get the posts of information commissioners appointed in Nashik and Amravati.

The advantage of spatial decentralization of Information Commissions is that Information Commissions are within reachable distance for the common person.

Associations of Officers and Employees support RTI 2005

Maharashtra IC in its 3rd Report reported that the Associations of Officers and Employees of Government of Maharashtra have declared their support for the 'RTI Act, 2005'. They have appealed to their members to give maximum information to the people under this Act.

The Information Commissioner has opined in the State Information Commission's 3rd Annual Report (1st January 2008 - 31st December 2008) that this has proved useful in obtaining official's support for better implementation of the RTI Act.

E-enabled tracking system to facilitate RTI applicant

Centre for Good Governance has enabled an e-tool by way of establishing mechanism to track RTI applications internally.

Internal Tracking System: Internal Tracking System is the mechanism used by AP Information Commission to track the appeals/complaints received by the Commission.

Registration of Complaint: Applications are received by the Commission by post or physically. All the applications received are entered into the system and system generates a “unique identification number” for each application/complaint/petition. The user has to use this number for future correspondence.

Maintain registers: Depending on the applications received by the Commission, each Commission is allotted the appeals/complaints depending on the work distribution. Thus the system generates a register for each Commissioner, giving the month-wise status of the applications received.

Internally the staff of Commissioners process the appeals/complaints received and update the status regularly. Broadly the process is classified into four stages:

- “Under process” - When the application is in process
- “Taken on file for hearing” - When the application is posted for hearing by the IC
- “Disposed Off” - When the final action is taken by the Commission and orders/judgment are issued.
- **Check Status:** To know the status of the application through the APIC’s website (www.apic.gov.in)

the applicant(s) has to enter the Reg. No. And select the Year OR Enter the Name (or) Address (i.e., if applicant does not remember the Reg No.)

Reports: The internal tracking system provides various types of MIS reports for the commissions:

- *Commissioner wise*
- *Yearly and Monthly reports*

- Register book for Commission

Status		
Reg. No. : 6750/2008 Registered On : 10 september 2008		
Subject : RTI Act, 2005 - Appeal filed against the Panchayat Secretary, S.Athutapuram Panchayat, Kakinada Rural - Reg.		
Address : President, Praja Samkshema Sangham, Alias Maruthinagar Development Association, S. Athutapuram, Kakinada-533 004		
Type of Case : APPEAL	Department : Panchayat Raj & development	
District : East Godavari	Rural/Urban : URBAN	
Remarks : APPEAL CLOSED VIDE ORDER NO.6750/IC-DR/2008, DT. 31-01-2009		
Pre-Currents Added		
Precurrent No.	Registered by	Registered on
2175/2009	K.S.H.Prasada Rao, H.No.1-219, Maruthinagar, S. Athutapuram, Kakinada-4.	02 march 2009
<input type="button" value="Back"/>		

Generating cause list: When an application is posted for hearing, the ICs update the status. To know when an application is posted for hearing, the user has to select the period and details of the Commissioner wise, date wise is displayed with time of hearing.

The internal tracking system enables:

- e-Filing of appeals / complaints and of updation of their disposal status; • Automatic generation of 'Cause- Lists';
- e-Enabled ' Management Information System' for generation of reports: Monthly / Yearly as well as Information Commissioner wise

Benefits accruing from the same are:

- Allocation of ' Unique Identification Number' to each appeal / complaint
- Facility for identification / grouping of repeated appeals / complaints/ complaints by the same person on the same issue
- Builds a centralized repository of all appeals / complaints
- Provides instantly, the status of the appeal / a complaint

Quantum of information per application - setting rules, Karnataka Information Commission takes a stand

The Karnataka Information Commission (KIC) recommended that the State Government amend the Karnataka Right to Information (RTI) Rules 2005 to restrict the quantum of information sought in a single application.

In December last, the KIC recommended that the Government amend the rules to restrict the number of questions and quantum of information sought in a single application.

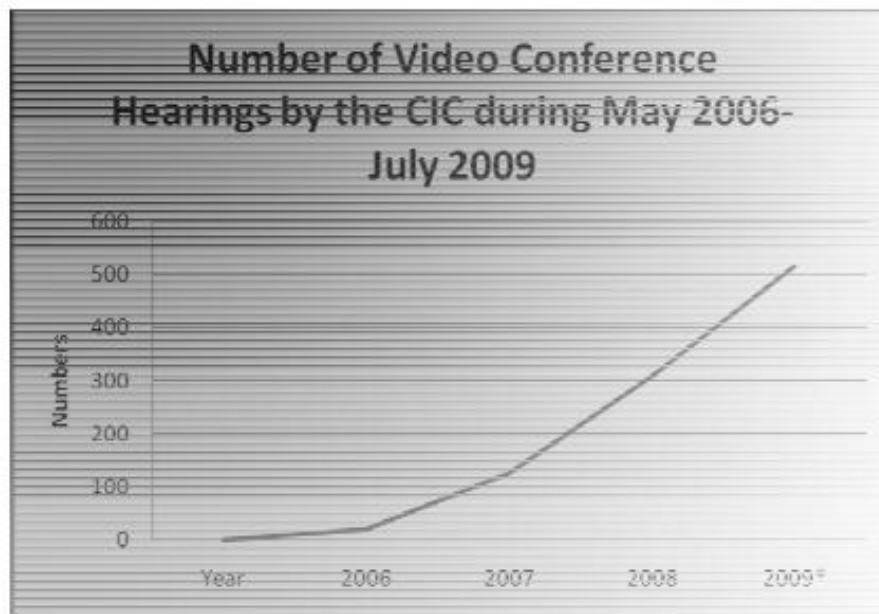
The Karnataka Chief information Commissioner has taken note of the abundance of information being sought from an application and suggested an amendment to the Karnataka RTI Rules 2005 in the state as follows:

- Request for information should relate to one subject and application should not exceed 150 words;
- Information on more than one subject entails a separate application;
- The information officer concerned is expected to respond to the request relating to the first subject only and seek separate applications for the other queries

The Department of Personnel and Administrative Reforms (DPAR) issued a notification to include this under Rule 14 on March 17 2008.

Video Conference-based hearings - CIC initiative

The Central Information Commission has resorted to the Video Conference (VC) Hearings in the cases where the appellant/complainants were from the outstation, since as early as May 2006. At the beginning however it confined itself for inviting the complainant/appellants only for the VC consequently the facility was extended to both the respondents and the appellant/complainants. By enabling the VC facility the Commission made hearings of the appeal/complaints cost and time effective. Initially, the Commission used to visit the NIC HQ, New Delhi for all its Video Conference but in the middle of 2008 it installed one studio at the Commission itself. As of now the Commission has installed VC studio in each of the CIC/ICs Court cum Chambers in addition to one studio for the full bench. The number of VC hearings in the Commission has seen an increasing trend.



Probably for the first time the VC hearings of the Commission has pushed through the VC facility of the Government to its fullest usages. The Commission has taken a lead role in motivating other agencies both of the State and Centre as well to make use of VC hearings.

Meghalaya Information Commission charts its course

The State Information Commission of Meghalaya has charted its course of action by clearly stating its vision- mission statement and set norms unto itself.

It states its vision as: *Transparent functioning of Public Authorities, accountability in their working and containing corruption.*

The mission statement is thus: *Ensure the citizens their rights to information from Public Authorities in accordance with the provisions of the Act.*

The objective hence is: *To fulfill the statutory mandate under the Right to Information Act 2005.*

The norms that it sets for discharge of its functions are:

1. The Meghalaya SIC would ensure that all complaints/ appeals presented before it by the citizens are disposed of within a period of 60 days.
2. The Commission also envisages creation of district cells of the Commission to facilitate monitoring of implementation of the law and afford opportunities to complainants / appellants to submit their appeals through the district cells.

MSIC has made an effort to rationalize identification of public authorities and designation of DAAs/PIOs/APIOs to ensure equitable distribution of work and public convenience.

*Initiatives by State Information Commission, Punjab***IT initiatives****IMPLEMENTATION OF RIGHT TO INFORMATION ACT 2005 AT NAWASHAHR
(DEPUTY COMMISSIONER'S OFFICE)**

To address the issues of lack of awareness of information seekers about the procedure for filing RTI complaint and obtaining information from various public authorities scattered all over the town, a dedicated window for Right to Information Act has been opened in *Suwidha* Centre where other applications/grievances are also redressed. Major benefits

- Applicants have the choice to file their application in the *Suwidha* Centre, pay the fee in cash and get a receipt.
- The whole system is computerized and has the following features:
- Automatically generates forwarding letter/memo to the public Authority who is required to give the information.
- The applicant is informed on-the-spot about the progress of the application
- Monthly reports showing pendency of applications towards a public authority can be at any interval.
- Generates suitable reminders to public authorities not responding within time limits

In order to promote, support and monitor effective implementation of the RTI, SICP has developed and adopted an information system in consultation with National Informatics Centre (NIC), Punjab and Technorite Consultants, Mohali, Punjab. To enable the storage and retrieval of huge volumes of information, a three-tier system was developed and adopted.

The main components of the system that has been brought into operation are:

- Information Commission System (INCOMS).
- Local Area Network (LAN) for the Information Commission for internal communication.
- Website for exchanging information with environment.

Local Area Network: To facilitate communication, SICP has established Local Area Network (LAN). It is a proprietary system connecting workstations and personal computers of various functionaries of the Commission. The LAN is capable of transmitting data at very fast rates, much faster than data can be transmitted over a telephone line. Each node in this LAN has its own CPU with which it executes program and also is able to access data and devices anywhere on the LAN. This means that many users can share data simultaneously. The LAN has also assisted in reducing paper-work in the Commission.

INCOMS, Management Information Software

Developed in March 2006 to digitize the registry process of appeals/complaints under the RTI Act 2005 and to retrieve the information as reports

Important features

- Facility to search cases based on various criteria
- Access to various clients on LAN
- Viewing of orders passed in various cases
- Accessing history of the case
- Generation of Hearing Notice in Word Format
- User based security

INCOMS can generate the following reports:

- Daily Case Register/ Cases registered in a period
- Allocation of cases to various benches • Issue of Hearing Notice
- Details of cases in progress
- Cause List
- Status/History of a Case
- Department-wise Distribution of Cases
- Public Authority-wise Distribution

Website

SICP hosts a website www.infocommpunjab.com to exchange information and for delivery of services with citizens. Apart from proactive disclosure and related documents, the commission provides the facility to contact the Commission through e-mail and to check the status of any case under progress with the Commission.

State Information Reporter and Internships in Kerala

Kerala State Information Reporter

In order to bring all orders issued by the Commission to the knowledge of the public at large, the Commission has started publishing a Quarterly Journal titled "Kerala State Information Reporter". The journal contains extracts of important orders of the Commission during the three months covering the quarter. The first issue of the journal has been brought out. In the times to come, it is planned to include articles/reviews on the RTI Act, 2005 also in the journal.

Kerala State Literacy Mission Authority to disseminate RTI

The Commission from its side had entrusted the Kerala State Literacy Mission Authority, the nodal agency for the famous literacy campaign to conduct awareness programmes for the general public in all the districts of the State. The Authority had so far conducted 4070 contact classes and attended by 2,68,645 persons. In addition to the above, the Authority had conducted seminars, corner meetings and '*padayathra*' in which about 1,56,000 people were reported to have participated. The specific target groups are residents in tribal belts, coastal stretch and slum areas, to make the people aware of its scope and effectiveness in ensuring transparency in the functioning of public institutions and departments.

Internship on implementation of the RTI Act

As a proactive measure, the Commission encourages students to do internship in the Commission on the implementation of the RTI Act. Thirteen students of Law had done internship in the Commission during the period 2007-08.

Computerization of the Commission

The Commission has hosted a website with the address <http://infokerala.org.in>. However, considering the ever-increasing workload, the Commission is in the process of computerizing its file management system, which when operationalised will help the petitioners to know the status of their cases online. The Commission is also in the process of operationalising a new website with the assistance of National Informatics Centre (NIC).

Innovations by Karnataka Information Commission

A. All Government offices who maintain their own records / record rooms are to be treated as separate Public Authorities.

Section 4 (1) (a) provides that every public authority shall maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under the Act and ensure that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated. Karnataka Information Commission has decided that this responsibility has to be imposed on all Government offices who maintain their own records / record rooms and it can be done only if all of them are treated as public authorities.

B. Less Paper Office initiative:

As indicated above Section 4 (1) (a) provides that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized. Commission has therefore decided to make its organization as a less paper office" by utilizing the GOI grant. This should act as a model for other Government offices. Assistance of NIC and CGG has been sought for this project.

C. Standardization of suo-moto disclosures under section 4(1)(b) of RTI Act, 2005 / Citizens Charter

Smt. Rajni Razdan, Secretary, Department of Administrative Reforms and Public Grievances, Government of India has addressed letters to all Chief Secretaries of State Governments stating that the Administrative Reforms Commission in its 4th Report has emphasized the need for effective implementation of the Citizens Charters. Administrative Reforms Commission has recommended that Citizens Charters should be made effective by stipulating the service levels and also the remedy if these service levels are not met.

Karnataka Information Commission in its several decisions has held that the provisions of section 4(1)(b) of RTI Act, 2005, which prescribed that every public authority shall publish information regarding (i) the particulars of its organization, functions and duties; (ii) the powers and duties of its officers and employees; (iii) the procedure followed in the decision making process, including channels of supervision and accountability; (iv) the norms set by it for the discharge of its functions etc. are the same as the Citizens Charter.

Thus the citizens charter should begin by listing out the services provided by the Public Authority to the citizens, the procedure followed by it in providing these services including the forms prescribed, the documents to be attached with the form, the check list to ensure that the information is complete in all respects, the official to whom the application should be handed over, the official from whom enquiries about an application could be made, the time limit within which the decision will be communicated / service provided etc.

Commission is of the view that the citizens' charters as well as the *suo-moto* disclosures for all functionaries performing same duties and responsibilities in different locations e.g. Deputy Commissioners, *Tahsildars* etc. should be more or less the same throughout the State. Commission has therefore sought the assistance of Administrative Training Institute, Mysore to help prepare common Citizens Charters / *suo-moto* disclosures for different public authorities along with a periodical self review procedure.

It has also been suggested that the prescribed procedure for rendering the services should have inbuilt mechanisms of preventive vigilance e.g. first in first out, pre-scrutiny of applications to avoid subsequent queries, the remedy available to the citizens, if these service levels are not met etc. Organizations may also consider providing *Tatkal* Service as in passport offices, wherever feasible.

D. Constitution of benches:

On the request of the Commission, State Government has issued Karnataka Right to Information (Constitution of Benches) Rules, 2005 authorizing State Chief Information Commissioner to constitute benches consisting of one or more members, to exercise the jurisdiction, power and authority of the Commission in respect of such classes of cases or such matters pertaining to such classes of cases as may be specified by the State Chief Information Commissioner by a general or a specific order.

E. Application for information to relate to one subject:

On the request of the Commission, State Government has inserted rule 14 in Karnataka Right to Information Rules, 2005 providing that a request for information under section 6 of the Act shall relate to one subject matter and it shall not ordinarily exceed one hundred and fifty words. The rule is reproduced below:

Request relate only to single subject matter: A request in writing for information under section 6 of the Act shall relate to one subject matter and it shall not ordinarily exceed one hundred and fifty words. If an applicant wishes to seek information on more than one subject matter, he shall make separate applications:

Provided that in case, the request made relates to more than one subject matter, the public Information Officer may respond to the relating to the first subject matter only and may advise the applicant to make separate application for each of the other subject matters.

Innovative practices of the Tamil Nadu Information Commission

Disposal of cases on dak stage itself. Dispensing with enquiry, when not necessary

The number of receipt of complaints and 2nd appeals to the Tamil Nadu Information Commission have been found to be enormous, at over 30,000 petitions a year. Since it is not possible or practical to hold open enquiry in each of the cases, the Commission explored the possibility of alternative disposal mechanisms. An examination of the petitions filed, shows that a very large number of them were basically complaints / appeals, that information has not been received at the time. It was found that sufficient information is available in the petition itself.

In most cases for coming to a conclusion without having to hold an enquiry, all such cases the Commission disposes off the paper at the *dak* stage itself by issuing an order either to the Public Authority to supply information or clarify to the Public Authority that the ground on which it was rejected is not tenable under RTI Act. It is specified that such grounds have not been listed in Section 8, or by informing the petitioner that the issues fall outside the scope of RTI Act. In some cases additional information has to be sought from either party.

The cases often fall under these categories because of inadequate understanding of the Act by the Public Authority, delays beyond the permissible 30 days or improper application of the exemptions given under Section 8, and often confusion with the earlier Government order to the contrary or the practice with earlier Acts. For example, for rejection of supply of information on the ground that a court case is pending, while the current RTI Act only permits rejection on the ground that the court has prohibited supply of the information or for example failure to send query to the appropriate Public Authority by the first Public Authority who was not concerned with the item under discussion. Often the Public Authorities tend to return the petition to the petitioner asking him to apply elsewhere contrary to Section 6(3).

This mode of disposal provides the final order quickly and often resulted in lasting disposal of the issue. It is found in most cases that the required results were achieved without the need for calling both the parties for personal enquiry. It is also popular with the petitioners for when an enquiry is posted it results in an additional cost of about Rs 1000/- to the petitioner to attend the enquiry. In fact many activists have been urging the Commission to try to dispose off more cases through this mode. The legality of the disposal is provided by the provisions of Section 18 (2), and Section 19(8)(a) of the RTI Act.

The enquiry is held only in cases where it is necessary to give an opportunity to further articulate and explain the case by either party or where a rejection has taken place for plausible reasons under Section 8 which need an open examination before being confirmed as correct.

This approach has reduced the number of enquiries within about 10% of petitions, and rendered early disposals possible.

Fast Track Approach like a 'Fast Track Court'

The Tamil Nadu Information Commission has been disposing of cases by adopting the style of fast-track courts akin to summary trial without calling and wasting time in getting formal complaints and counters from the two parties. The two parties appear in person before the Commission and orally state their case and their articulation is recorded in the judgment which is issued on the spot. Adjournments are not normally given and the enquiry is completed at a single sitting.

Where the issue is complicated and the interest of the justice makes it necessary that the two parties are given more opportunity, an elaborate approach is followed and if necessary parties are asked to give written submission or sworn affidavits. This practice is being limited to complicated and to rare cases only and the majority of enquiries could be completed much faster and with less strain to the petitioner and the Public Authority and totally eliminating the need for any legal counsel to be present.

Standard formats for orders and letters of the Commission

The Tamil Nadu Information Commission found that the orders in response which need to be issued in almost all cases fell into about 45 different categories, the responses being almost identical in every case, and hence the text of the letter could be on a standardized format by inserting the name of the petitioner, the public authority and dates at the appropriate places and using the computer for generating the templates, with the result that larger output per person would be made possible.

These have enabled Tamil Nadu State Information Commission to deal with the flood of papers reaching the Commission with an extremely tiny complement of staff.

Initiatives by Central Information Commission

1. Online filing of Appeal/Complaints (may be logged on at <http://cic.gov.in>, <http://india.gov.in>)

Web-enabled workflow software has been developed by NIC as per the requirements set forth by the Commission. This software has been deployed over internet which has enabled the Commissioners and their Designated Officers to use it even from their residence and elsewhere. This software has empowered willing citizens to file their appeals/complaints online. As a result, the Commission has taken a leap forward towards the e-office standards.

The software comprises of two modules: viz. A) The Citizen Module, and B) The Office Module. Citizen module is available on 'National Portal of India' (<http://india.gov.in>) and the office module is available on <http://rtiacmin.nic.in>. Citizen module can also be accessed from CIC's website <http://www.cic.gov.in>. Both the modules are user-friendly with self-explanatory captions that without any formal training, any one can use.

A) The Citizen Module:-

This module facilitates the citizens to submit their Second Appeals and Complaints to CIC online. A citizen on the internet, can visit the CIC's website or alternatively the 'National Portal of India' and can fill the form provided and submit his/her appeal/complaint online. Upon clicking the 'Submit' button, the system prompts for checking the draft or taking the print-out. Those who want to correct, will correct and others will take print-out, for onward submission to the Commission. While generating a hard copy, system generates a unique registration number, which, can also be used by the citizens for further correspondence.

The module besides being user-friendly prompts to help citizens when to file a "Second Appeal" or "Complaints", and also provides the facility to find out the status of their appeals/complaints filed either online or sent by post by supplying the registration-numbers.

B) The Office Module:-

This module will also be available to the Receipt-Section in the Commission for diarising as per present practice the appeals and complaints received by post and for recording the actions in the process cycle of the cases received via internet. All decisions adjudicated by the respective Commissioners and the actions taken by the respective officers / officials at the different stages of the process flow of the appeals/complaints will be captured by the module. The system would facilitate easy tracking of a case at any stage, generating various types of letters, notices and summons, generating daily cause-list, generating various types of reports which may be used as an indicator for monitoring the implementation of RTI Act as mandated.

Following is the list of actions/decisions that are built into the software which are to be recorded by the assigned officer/official mentioned against each:

SI No	Action / Decision	Assigned Officer/Official	Remarks
1	Signed copy awaited	NA	Unless the signed hard-copy is received, action on appeal /

			complaint will not be initiated by Receipt-Section
2	Assigned to designated officer of CIC/ concerned IC	Receipt Section	Once appeals/complaints are sent to the Designated Officer it will be treated pending with the DO
3	Under Scrutiny Process	NA	Pending with DO
4	Comments sought from Public Authority and response awaited	Designated Officer	First Stage action initiated
5	Comments received from Public Authority and case under process	Designated Officer	Pending with DO
6	Date of hearing	PPS to CIC/IC's	Until the date & time of hearing are indicated, it will be treated as pending with PPS to CIC/IC's
7	Decision announced	PPS to CIC/IC's	Various possible outcomes of decisions will have to be cut and pasted by PPS to CIC/IC's
8	Direction Points	Designated Officer	DO will cut & paste various direction points mentioned in the Decision
9	Compliance awaited	NA	Alerts as well as reminders will be generated from the software so as to enable the DO to ensure the compliance within the time stipulated in the Decision
10	Orders/Decision complied	Designated Officer	Compliance on various Decision points will be recorded
11	Due for Consignment to Record Room	NA	DO will take the approval of Secretary/Registrar to begin the process of consigning the file to Record Room including digitization when it is operational as per provisions

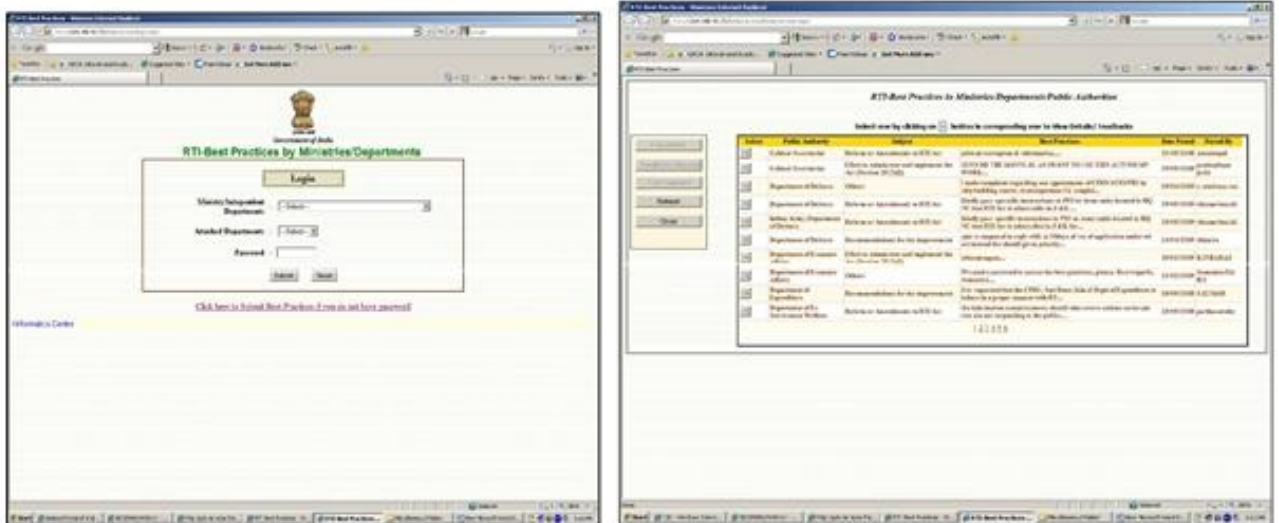
12	File Consigned to record Room	Secretary	
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1. The **Receipt-Section** upon receiving the print-outs of the appeals/complaints that have been submitted online, will tally the online receipts vis-à-vis the print-outs and their enclosures and upon satisfying that they 'do match each other' and are 'in order' would forward the same online to the concerned Designated officer by choosing the action at **SI.No.(2)**. They will also enter into the system the details about the appeals and complaints received by post and by hand and assign the same to the concerned designated officer after writing down the generated registration-no on the appeal/complaint application as per existing practice.
2. The Designated officer(DO) upon receiving the hard copy of the case, will scrutinize it and will either seek comments from the Public Authority by choosing the action at **SI.No.(4)** or will send the case to the PPS to CIC/IC as the case may be for indicating the date and time of hearing. Alternatively on the basis of available records, any other directions of the CIC/IC's will be recorded by the DO. He will also laterally forward the case to the concerned Designated Officer in case the case would have wrongly come to him due to the incorrect selection of Ministry/Department/Organisation/Public Authority by the citizen or the Receipt-Section as the case may be. Also, upon receiving the comments from the Public Authority, the DO will choose the action at **SI.No.(5)** and if comments are not received even after the specified time, the DO may proceed as explained above.
3. The PPS of CIC/IC upon receiving the hard copy of a case file, would log on to the Office-module and would find the case online in his menu and would assign the date and time of hearing by choosing the action at **SI.No.(6)**. This would enable the automatic generation of daily-cause-list. At this stage, the system would automatically send the hearing-notice by e-mail also to the Public Authorities and the appellants/complainants. Also, the PPS can, any number of times, reassign a new date and time of hearing as and when the hearing gets postponed.
4. Immediately after a hearing, the PPS will record the outcome of the hearing as to whether 'Decision has been announced' or 'Hearing Adjourned to a new date & time' or 'Decision Date' by choosing the action at **SI.No. (7)**.
5. On the date a decision is announced, the concerned DO will record in the system the direction points as mentioned in the decision, by choosing the action at **SI.No.(8)**, which would certainly help in the follow-up of the cases.
6. As and when the compliance intimation is received, the DO would record the compliance details, by choosing the action at **SI.No.(9)**, by which, the case gets closed.
7. DO will forward all closed cases for the approval of the Secretary/Registrar for consigning the same to the Record Room.

The objective of making this software operational *inter-alia* aims at transforming the system more proactive in disclosing the information at various levels of decision making process whereby the citizens can know the status of their appeals/complaints online even from the remotest corner of the country. Also, the software would enable placing of various reports in the public domain, which, would in turn, reduce the volume of RTI-Requests received by the CPIO of the Commission.

RTI Best Practices by Ministries/Departments and Feedback on best practices(may be logged on at <http://cic.gov.in>)

The Central Information Commission has provided a button on its website by clicking which one can submit the details of the best practices in a public authority. The details can be submitted either by an officer directly involved with the best practices or by someone who may not be involved but knows about the practice. It has further enabled a citizen to post their feedback on the best practices so claimed either by the Public Authority or by the individual officer. The windows when are opened look as under:



This compilation is a document which may be studied and concluded about Public authorities’ efforts in making the system RTI friendly. Also, these documents may become a part of section 25(3) (f) of the Annual Report which is prepared by the commission.

This document may further be relied upon for making systemic improvements in regard to deliverables in the government. Since 16.11.2008 this item has received the best practices by various Public Authorities on 58 subjects and in 73cases these best practices has been commented by the stakeholders either affirmatively or otherwise. This system has a potential of generating a considerable amount of sensitization among the stakeholders which may positively affect the performance of a Public Authority.

Curb bribe taking - KABIR and 5TH PILLAR

Drive Against Bribe: This was a nationwide most successful campaign organised by *Kabir* with 700 groups, during 1-15 July, 2006. The campaign encouraged and assisted people to stop giving bribes and use RTI instead. This was supported by 8 media groups as partners, including NDTV, Hindustan Times, The Hindu etc.



In the same vein, a vigorous campaign to ensure that bribes are not sought for, Fifth Pillar, a Chennai based organisations is encouraging a zero rupee note swearing that "I promise to neither accept nor give bribe"

Audit of Proactive Disclosure - A toolkit

Centre for Good Governance in Hyderabad has developed a methodology that recognizes that different parameters of proactive disclosure have different importance - while some have low importance others have high importance. Accordingly, it has identified 25 parameters for audit and segregated them into 3 broad categories:

- There are 10 parameters with high relative importance (A)
- There are 8 parameters with average/medium relative importance (B)
- There are 7 parameters with low importance (C)
- Based on the relative importance of the three categories, different weightages have been accorded to the different categories - 0.5 to high importance parameters, 0.3 to average importance parameters and 0.2 to low importance parameters.
- Each parameter is rated on a 3-point quantitative rating scale (0:1:2) to assess quality/extent of compliance on that parameter.
- Scores obtained on different parameters are summed to get the category scores & percentages.
- The weightages are applied to each category percentage to get the final score which reveals the overall percentage of compliance by the public authority.
- Based on the percentage of compliance, public authorities can be graded into 4 types.

GRADES	FINAL SCORE	WHAT DOES IT MEAN?
A	81%-100% of Maximum Possible	Highly Transparent & RTI compliant
B	61%-80% of Maximum possible	Reasonably Transparent & RTI compliant
C	41%-60% of Maximum possible	Limited transparency & compliance with RTI
D	0-40% of Maximum possible	Poor levels of transparency & compliance with RTI

- The methodology also enables qualitative feedback on each parameter of proactive disclosure that is audit. With this tool kit CGG facilitated audit of the pro-active disclosure of the Rural Development department in the state of Andhra Pradesh and shared the results with officials for better service delivery on RTI.

Total Quality Management in Nallalam Gram Panchayat in Kerala

Introduction and Background

One of the challenges facing the training institutions is ensuring the fruitfulness of capacity building programmes. How best the inputs imparted through trainings are applied and practiced in the field and if the trainings do not evolve outcomes what is the meaning of imparting trainings are the major questions posing every trainer. The Cheruvannoor-Nallalom Grama Panchayat (GP) in Kerala proved the better application of the innovative ideas received from the trainings. The Panchayat while deputing one of the Elected Representatives for the Certificate Course conducted by Kerala Institute of Local Administration (KILA) was decisive in putting into practice the innovative ideas from the course. The Panchayat has launched TQM effectively based on the inputs received from the course. Total Quality Management (TQM) so far has been a buzz word in the corporate world is now spiraling in the local governments of Kerala. Perhaps, *Cheruvannoor-Nallalom Gram Panchayat* must be the first Panchayat in Kerala or in India applying TQM for the effective functioning of Panchayats.

It all began with the Certificate Course in Local Governance of KILA to build up the capacity of Elected Representatives (ERs) of local government institutions (LSGIs) for strengthening local governance. The course was intended to develop the understanding, skills and capabilities required by the ERs for effective involvement in local governance. The idea was to imbibe a development culture over and above the narrow political considerations in local governance and also to enhance expertise in facilitating and supporting local governance. The course covered the topics of local governance, sustainable development and local economic development, good governance and Right to Information, and capacity development. TQM was one of the topics included in the module 'good governance'.

The Initiative

TQM, one of the tools of good governance, has been widely applied in the corporate sector. It is a continuous process of ensuring people-friendly office environment. TQM targets to improve the quality in service delivery by utilising the existing mechanism in an effective manner. By fixing a bench mark, TQM target to attain the same by filling the existing gaps in service delivery and transparency. The creation of environment for TQM is based on seven principles namely,

1. Top management support
2. Strategic quality planning
3. People centric and Transparent
4. Training and recognition
5. Team Work
6. Performance measurement, and
7. Quality assurance.

Inspired by the TQM concept, the participant from the Cheruvannoor-Nallalom Grama Panchayat took the initiative for implementing the same in the Panchayat. The initiation process of TQM in the Panchayat went through the following stages.

- Conceiving Stage: Home work based on the hand book of the course and envisioning the concept are the pre-requisites.
- Convincing Stage: Convincing the major stakeholder's viz. the Panchayat President, Elected Representatives, and Staff in person and in groups.
- Officialising Stage: Making appropriate decisions in the Panchayat Steering committee, Finance Standing Committee, and Panchayat Committee to implement TQM.
- Implementing Stage: Staff meetings, training the staff (on MoP, Accounting, and Good Governance), responsibility mapping and formation of quality circles, bench mark fixation, and launching TQM.

There were apprehensions as to how the Staff and Elected Representatives receive the concept. Initially the idea was not appreciated by many in the Panchayat. But the strong will and desire for TQM finally materialised.

The Strategy

The implementation of TQM in the Panchayat has resulted in the following courses of action to improve the quality in service delivery.

- **Citizen's Charter:** One of the mandatory documents to be published by the local governments is Citizen's Charter (Pauravakasa Rekha), which is a declaration by the Panchayat to deliver services with its modus operandi. Till the introduction of TQM, the Citizen's Charter had been prepared mechanically. With the TQM, the Charter was prepared in an organic manner by gathering inputs from the Staff and Elected Representatives. The document was discussed in the Village Assembly (Grama Sabha). The copies of the Charter had been widely circulated and made available to all the transferred institutions of the Panchayat. Apart from these, the content of the Charter is displayed in front of the Panchayat office with the help of cine board.
- **Right to Information:** Creating an environment for RTI and complying the proactive disclosure as laid down in Section-4 of the RTI Act is another important step initiated as part of TQM. Updating and widely disseminating Citizen's Charter, display of functional maps, making public the office attendance, installing name boards, etc are the examples. The record management, the pre-requisite for RTI, is effectively organised by the Panchayat that ensures speedy disposal of RTI requests. The provisions of RTI are widely discussed in the Grama Sabha meetings. The names of PIO, APIO, and Appellate Authority are displayed.
- **Display of Functional Map:** Prepared a functional map of personnel, showing their designations and responsibilities. The functional map preparation was done through participatory process. This ensured the ownership of staff in the process and made them more responsible. The same is displayed in front of the office with the help of cine board.
- **Office Attendance Made Public:** Another novel activity of TQM has been making the office attendance public through cine board. Hence whoever is approaching the Panchayat office would be able to know the attendance of the staff viz. present, leave, on duty, etc. This avoids practices of 'absentee-attendance'.
- **Information Service Counter Opened:** A service counter opened in front of the office to ensure smooth service delivery. The person at the counter receives the applications from the clientele and issue acknowledgement receipt with the appointed date of delivering the service.



- Record Room Opened: The records and files of the Panchayat were kept in a haphazard manner, resulting in difficulties of tracing the needed records. The first step to resolve this pathetic situation was to sort out all the records, opening a separate record room, and systematically arranging and indexing them. A log-book is opened with a record keeper in charge.
- File Movement Register Opened: A file movement register was opened. Opening of file movement register as part of the TQM now helps to trace out the current status of files, reasons for any delay, the responsible person for such delay, etc. This reduces bureaucracy and red-tapism.
- Officials Identity Established: Till the introduction of TQM, name boards of higher officials only were displayed. With the introduction of TQM, name boards of administrative staff to the level of LD Clerks are displayed on the table of concerned person. Establishing and recognising their identity in this way helped to make them better aware of their duties and responsibilities.
- Bench Mark Fixed: In order to improve the service delivery, bench mark is fixed on various components. It was made through participatory process. In the monthly meetings, performance of each of the functionaries is assessed for their actual attainment with the pre-fixed standard.
- Office Arrangement: The office arrangement was such that the interface between the staff was curtailed earlier; affecting the service delivery too. With the TQM, the office was rearranged in such a manner to ensure the interface between the staff and also between staff and clientele.
- Accounts upto Date: The accounts of the Panchayat were pending for a period of average 3 months. With the introduction of TQM, the accounts were made upto date.
- Cleanliness: The office premises were dusty and unclean earlier. It is now cleaned and maintained well.
- Waiting Space for People: Waiting space for those who approaching the Panchayat by providing visitors bench is arranged at the office sit out.
- Monthly Staff Meeting: The monthly meeting of the staff is convened to review the performance.
- Meeting Calendar: The Panchayat now has a Meeting Calendar so that specific dates are pre-fixed for monthly meetings of Steering Committee, Standing Committees, and Panchayat Council. As the meeting dates are pre-fixed, the members of these fora keep the day free for the meeting.

Take outs & Lessons Learnt

The introduction of TQM and linking it with RTI helped to maintain office order in the Panchayat. The budgets made realistic, accounts are upto date, record management is in place, diary system for staff is in practice, movement of files recorded, and office appearance improved. These have resulted in improving the good morale between the staff, elected representatives, and the community. The Panchayat is now able to ensure the quality and timeliness in delivery of services. Also, Panchayat is delivering services by ensuring objectivity and transparency. Hearing these changes, the Panchayats from nearby areas have started enquiring about TQM and disclosure procedures followed in Nallalom Panchayat.

What is more important is the attitudinal change and willingness of the members and other functionaries towards TQM. According to the Panchayat President, investment for launching TQM in the Panchayat was marginal amount of Rs 25,000; however the initiative and enthusiasm were the influencing force. In the context of Right to Information and mandatory good governance plan envisaged in the 11th five year plan of local governments in Kerala, the TQM is one of the tools for transparent and accountable governance.

For more details contact Dr. J. B. Rajan, Kerala Institute of Local Administration (KILA)

Self-Disclosure of Panchayats in Madhya Pradesh

Panchayats are the lowest level of self-governance in the country. The 73rd Amendment to the Constitution has ushered in a new era into self-governance, with greater space and representation for all categories of people, including the marginalized. As is the case with most panchayats, they are mired in ignorance with an illiterate population, to whom they cater.

In a significant move to empower people with information, *Samarthan*, a Bhopal based nongovernmental organisation, motivated 5 *Panchayats* each in *Sehore* and *Ajaygarh* to prepare self disclosure manuals in accordance with the Section 4 (1) (b) of the RTI Act 2005. These documents were prepared and were kept at the Panchayat so that the *Gram Sabha* members could review the document at any time.

In some other panchayats information relevant to the citizens were put up on notice-boards for the citizen. Seven panchayats in *Ajaygarh* block have displayed cost and physical details of the development works undertaken during the year on notice boards.

This contains information on the works undertaken, the budget and the actual cost incurred. Five panchayats each in *Ichchawar* and *Pawai* blocks displayed the list of persons benefitted under different schemes.

This experience of pro-active disclosure depicts transparency at the grassroots and is the foundation for developments taking place in villages and upwards.

Mass Awareness Campaign in Andhra Pradesh

Background

The experience of the RTI regime since its enactment has been rather mixed. While significant positive developments have taken place at both supply and demand ends, the most glaring deficiency at the demand side has been the lack of awareness on RTI and community mobilisation, particularly in the rural hinterland. Massive efforts are required to raise citizens'



awareness of their right to demand information. While the resourceful citizens are in any case able to access information, it is the disadvantaged groups for whom support systems need to be put in place to encourage and enable them to perceive, articulate and successfully obtain information which typically impinges on their livelihoods and survival. Mass awareness campaign on RTI assumes importance when strategies are planned to reach the larger masses and disseminate basic information on the Act and how to use it. The mass awareness campaign in Andhra Pradesh was implemented with the joint efforts of the United Forum for Right to Information (AP) and the Centre for Good Governance.

The Initiative

The mass awareness campaign in Andhra Pradesh was implemented by consortium of more than 70 Civil Society Organisation (CSOs) who came together to form the United Forum for Right to Information (UFRTI) in collaboration with Centre for Good Governance (CGG). the primary objective of the campaign was to disseminate information on RTI and also to educate and create consciousness among the community so as to equip and instigate them to use RTI to demand their

Material distributed in the Campaign

The following IEC material was provided by CGG for the Mass Awareness Campaign.

- Stickers: 30,000 11 inch bold print stickers containing a slogan on RTI.
- Poster: 30,000 A4 size adhesive posters with a slogan and a message stating that every public authority has a PIO in place to provide information to the community.
- Pamphlet: 2,00,000 A4 size pamphlets listing important provisions of the RTI Act
- Booklet: 30,000 pocket size booklets of the RTI Act

rights and entitlements. The campaign was planned in three phases namely, Training of Trainers (ToT) - (7th - 9th April 2007), Mass Awareness Campaign - (10th April - 20th May 2007) and Filing of Application (21st May - 26th May 2007).

- Resources & Reach - Total Coverage
- The following are some of the important milestones achieved under the campaign.
- Districts covered - 23
- Mandals Covered - 600
- Volunteers participated - 1500
- Govt. offices covered - 1600
- Govt. officials met - 2300
- Kiosks installed - 1800

A state-level coordination committee was formed to take stock of the IEC material which was centrally printed at CGG and

distribute it to all the districts. Volunteers of CSOs who had attended the ToT had time to share their learning and prepare the volunteers at the grassroots before the campaign was launched.

Initially the CSOs thought that the campaign should be limited to only the district headquarters. But with more local CSOs joining the campaign it was extended from district headquarters to mandals. Depending upon the availability of funds, manpower and publicity material the number of mandals to be covered were selected. The campaign began in all the 23 districts of the state at the same time around the second week of April. The selection of mandals was however left to the CSOs working in the respective districts. Depending upon the size of the NGOs the number of mandals within each district was covered.



A total of around 600 mandals were covered under the campaign. Coverage of such a large number of mandals was possible due to a few CSO networks that could work across districts. These institutions in the past few years have been able to wield considerable influence in the districts that they are operating. Some of them include, MV Foundation (11 districts), AP

Mahila Samatha Society (9 districts), COVA (7 districts), SACIR (5 districts) and APVVU (3 districts). Since all the CSOs had volunteered to participate in the campaign resources spent locally for volunteers training and field visits, establishing kiosks/stalls and travel was spent by CSOs themselves.



The Strategy

The strategy primarily depended on three key activities, namely,

1. Ensuring filing of as many applications as possible during the 6 day period
2. Helping the community and visitors by placing kiosks in public offices wherever possible
3. Popularise the campaign with the help of public meetings and discussions during the working hours to attract attention of the people.

The application filing activity under the campaign was undertaken from the 21st to 26th May 2007. It was during this phase of the campaign, a number of public meetings were conducted and kiosks set up in public offices. The purpose of these meetings was to help the community file applications requesting information. The agenda of such public meetings included detailing the objectives of the campaign, inspiring the community in filing applications, insight into key

provisions of the Act etc. The venues chosen for such meetings were always the public offices, preferably district and Mandal headquarters.

The Mass awareness campaign and filing of applications activity was completed by the 26th of May 2007, across the state. To assess the implementation and success of the campaign a review workshop was organised aimed at initiating discussion on mass communication strategies that can be used to disseminate and spread awareness on RTI. This workshop was critical as it provided important inputs and value additions on the mass awareness campaign which can be documented and disseminated to governments and CSOs which can undertake such campaigns elsewhere in the country.



Key propositions & Issues Identified

1. Display boards with names of the PIOs, APIOs & Appellate Authority should be more prominent.
2. Provision of acceptance of cash with applications should be facilitated.
3. The head of accounts must be communicated to all the PIOs where the collected fee can be remitted.
4. Better capacity building for PIOs & APIOs as they lack awareness and are still apprehensive and suspicious of the information seeker.
5. Training of CSOs and the public officials can facilitate information sharing.
6. Better disclosure under section 4(1)(b) disclosure.
7. Specific orders and rules are to be issued to the all the PIOs on information disclosure.
8. Better record maintenance and retrieval all public authority is a priority and possibly make information available online.
9. RTI information cells at all district headquarters (preferably District Collectorate)
10. A State-wide directory of all the PIOs, APIOs and Appellate Officers should be made available freely.
11. Developing a directory of CSOs working on RTI. This would help in better networking.

**Takeouts & Lessons Learnt**

The Mass Awareness Campaign of the United Forum for Right to Information is a unique example of a unified effort of civil society organisations for ensuring accountability. The approach adopted for the campaign is also novel in a sense that with minimum investment it has generated an impact far greater than many other modes of communication. Some of the key highlights include:

1. **Structure:** The structure of the United Forum is democratic and provides a broad platform of CSOs working on rights, entitlements, communal harmony to use RTI for the benefit of the masses.
2. **Freedom of Membership:** Organization joining the United Forum could join for free and also leave the forum whenever they felt like it.

3. *Size of Organisations:* The united forum included organisations of various sizes including individuals working on RTI.
4. *Networking:* the success of the campaign was on networking of CSOs. The campaign penetrated as each network that participated in the campaign had members working at the grassroots and interior locations and villages.
5. *Training:* Training to campaigners was well planned where key personnel belonging to key NGOs and networks were trained at the state level and they in turn trained the district and village level campaigners
6. *Method:* The method adopted by the campaigners included setting up of temporary kiosks right outside the government offices. These kiosks distributed pamphlets and helped in filing applications on the spot for 7 days.
7. *Coverage:* Within a short period of time almost the whole state was covered under the campaign and the objective achieved. At the time of the campaign, in the 2 year period of the enactment of the RTI Act the number of applications filed for information across all public authorities was around 8,000. Whereas during the 7 day campaign alone around 7,000 RTI applications were filed.

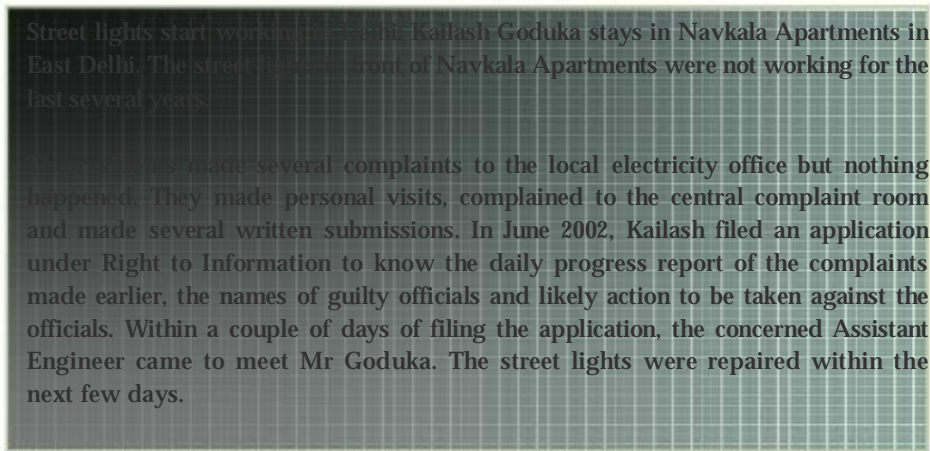
RTI helps better service delivery-Kabir studies

“RTI Action Research Villages”: Kabir, an organisation based in Aligarh Muslim University has undertaken action research to see if RTI has an impact on the service delivery. This has now taken shape of a campaign.

The ongoing campaign in 5 remote villages was taken up to study the impact caused by RTI i.e, whether RTI is being used extensively by villagers. The inspiration for this campaign came from the actions of a very remote and economically backward village in the Indian State of Uttar Pradesh. After trying all other methods, the local villagers finally succeeded in getting basic civic amenities like roads and electricity in their villages by using the RTI Act.

The Action Research Villages campaign aimed to get filed at least 300 RTI requests from each village. These applications are having a tremendous and immediate effect. For instance, tardy school teachers were replaced and basic drainage infrastructure was set up in many villages as a result of applications being sent under the RTI act questioning the status of these activities.

While saying so, we find that RTI indeed helped people get better services from the Public Authorities, with media reports covering their usage and the positive offshoots of the same, like pension clearances, admission in schools, better civic facilities, roads, electricity and street lights, improvements in public distribution systems etc.

***MLA declares suo-motu in Meghalaya***

A suo-motu-disclosure made by the MLA of 21 Mawprem Assembly Constituency in the form of a booklet listing all schemes (physical and financial) taken up by him in his constituency under the MLA Scheme during the year 2004-05 and 2005-06.

The Commission recommends that Government should make it obligatory on the part of the implementing agencies to prepare and publish the list of all the schemes (physical and financial) implemented under MLA scheme during the year, constituency-wise. The same should be done with respect to MPLADS. (2006)

Immediacy of disclosure: Nepal

Nepal National Information Commission was constituted on 13th June 2008, under the chairmanship of Shree Biaya Kasaju. Shree Acharya and Sabita Baral are members of the commission. Nepal's Right to Information Act 2007 was endorsed by the Interim Legislature Parliament on 18 July 2007.

Though there are many similarities between Indian and Nepalese laws, Nepalese law seems to be stronger on some points that are delineated below:

Immediate disclosure of information

Information officer should provide the information immediately if the information by its nature could be provided immediately and the officer shall have to provide within fifteen days from the date of application if the information by its nature could not be provided immediately. If it is not possible to provide information immediately Information officer shall instantly provide a notice with the reason to the applicant.

Whistleblowers' protection

It shall be a responsibility of employee of public agency to provide information on any ongoing or probable corruption or irregularities or any deed taken as offence under the prevailing laws. If any punishment or harm is done to the whistleblower, the whistleblower may complaint, along with demand for compensation, to the commission for revoking such decision.

Data protection and correction of personal information

Public agency shall protect the information of personal nature held in for preventing unauthorized publication and broadcasting. If anyone believes that the information in public agency on a certain topic is wrong, he may appeal to the concerned Chief along with necessary evidences for the correction of the information.

Public Agency includes registered Political Party

Information Officers provide information to citizens. The only weak feature is that the requester has to mention the reason for the request.

Source: RTI Footprints (Campaign for Right to Information's website < www.rtinepal.org >)

A National Institute for Access to Public Information, Honduras

Honduras has joined the growing number of Latin American countries that have passed access to information laws. Honduran Congress approved a Transparency and Access to Public Information Law, which took full effect in January 2008.

On 23 November 2006, the congress approved the Transparency and Access to Public Information Law (Ley de Transparencia y Acceso a la Información Pública).

The law provides for the establishment of an independent body called the National Institute for Access to Public Information (Instituto Nacional de Acceso a la Información Pública, IAIP) that will process public requests for government information and oversee the law's implementation.

Honduras is the sixth Latin American country to pass an access to information law, joining Belize, Colombia, Ecuador, Mexico, Panama and Peru.

Formulation and implementation of Freedom of Information Act(s): Some International Best Practices

The historic pioneers in the field of Right to information or Freedom of Information, as it is recognized internationally; were the countries that passed laws before the world wide wave of democratization of the 1980s. These included Sweden (1766), Finland, Denmark, Norway, Canada, Australia, New Zealand, USA, France, Columbia. However the FoI act has spread rapidly to other countries which include countries with long democratic histories like Austria, Italy, Netherlands, Belgium, Iceland, Ireland, Israel, Japan, Greece, UK, Switzerland and Germany.

The United Nations (UN) has recognized the Right to Information as a UN-mandated universal human right. The UN General Assembly stated thus in 1946: *"Freedom of Information is a fundamental human right and is the touchstone of all other rights to which the UN is consecrated"*

The following section looks at best practices from few countries which have implemented the Right to information/ freedom of information act

Freedom of Information Act, 1997, Ireland

The Freedom of Information Act, 1997, came into effect on 21 April, 1998 for Government departments and certain government bodies. The broad purpose of the Freedom of Information (FOI) Act is to confer rights on members of the public to obtain access to official records to the greatest extent possible consistent with the public interest and the right to privacy. Few best practice elements of the FOI project in Ireland are the following:¹

1. **Statutory rights:** The Act establishes three new statutory rights: a legal right for each person to access records held by public bodies; a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading; and a legal right to obtain reasons for decisions particularly affecting oneself.
2. Supportive network structures provide for "ownership" of the process by affected bodies and clients;
3. Key client group representatives are consulted and involved in the implementation of the act (e.g. Business and citizens advisory groups);

¹ The Freedom of Information Act and its Implementation in Ireland, Best Practice project Description http://www.4gconference.org/en/previous_quality/IOC/IE_Freedom_of_information.doc.

4. Effective central co-ordination and support structures pro-actively manage the process
5. Interdepartmental working group have been established for supervising the implementation of the act
6. FOI central policy unit has been established in department of finance;
7. There is a strong emphasis on the importance of ongoing communication and learning processes
8. Continued stream of advice and support from centre to public bodies, both directly and via networks
9. Peer-learning and co-ordination operated through networks;
10. There has been a heavy investment in training;
11. There has been considerable emphasis on using FOI as a lever to promote cultural change in the Public Sector.

Federal law on Transparency and ATI (Access to Information), 2002, Government of Mexico

Mexico has implemented some of the best practices of transparency and access to information among national governments and is now one of the best governmental examples of transparency and access to Information. Several civil society organizations have jumped on the bandwagon of transparency to promote its values among the citizenry, increase government accountability and fight the culture of corruption and secrecy in the public sector.

In 2002, the Congress enacted the Access to Public Information and Transparency Law that establishes that all the information held by the federal government is public. Since then, the Federal Institute for Access to Information (IFAI) has played a key role in carrying out this mandate of openness.

Major best practices:

1. *Institutional mechanism for ATI:* Mexico has created a Federal Institute for Access to Information (IFAI) to carry out the mandate of openness. This information Commission

(IFAI) with 5 commissioners has a budget of USD 22 million. The IFAI performs the following functions:

- It guarantees access to information law,
 - Protects citizens' personal information held by the government
 - Investigates and resolves cases where public agencies refused to provide information
 - Train federal employees on how to comply with ATI law requirements
2. *Electronic processing of application:* The ATI law and IFAI implementation have produced 250,000 requests for information between 2003 and 2007 - most of them done electronically. It has developed a one stop web portal for filing information requests with federal bodies and tracks the status of request. Altogether, 96.4 percent of all requests filed since 2003 were made through the electronic information system called "SISI" (Sistema de Solicitudes de Información, www.sisi.org.mx).
3. *Constitutional reform for access to information:* In March 2007, a comprehensive reform of Article 6 of the Mexican constitution was passed in the federal Congress, and within three months it was approved by a majority of state legislatures, signaling a major victory for the right to know movement in Mexico. This reform is considered to be the most important development related to freedom of information in Mexico in the last two years. It places Mexico in the league of 45 constitutions in the world to place the right to public information as a requirement of the highest order.

It establishes principles of transparency and provides minimum standards for public access to information at the federal, state, and municipal level. Article 6 now explicitly addresses and settles issues that had become controversial during the five years of the federal FOI law being in effect. These issues include, for example, the principle of maximum disclosure, protection of personal information, and better access to administrative archives².

Promotion of Access to Information Act (PAIA), South Africa³

² Mexico's Constitutional Reform Guarantees the Right to Know, Resources on Mexican Constitutional Reform on Access to Information, George Washington University
<http://www.gwu.edu/~nsarchiv/mexico/article6.htm>

³ The state of access to information in South Africa, by Dumisani Nyalunga
<http://iolsresearch.ukzn.ac.za/wonder16213.aspx>

The Promotion of Access to Information Act (2000) replaces the Protection of Information Act (1982) put in place by the apartheid government. The 1982 act had served to restrict and regulate receipt and disclosure of information deemed sensitive by the state. In its endeavor to create an informed nation and to bestow power to the people, South Africa promulgated the PAIA in 2000.

Unique features

1. PAIA is one of the few pieces of access to information legislation in the world to apply to both public and private bodies as well as to records, 'regardless of when the record came into existence' (Section 3, p.9) . .
2. Records management is incorporated into the procedures for dealing with requests for information
3. Citizens are acknowledged in the process of dealing with requests for information

Freedom of Information Act, 1949, Sweden⁴

The principle of openness "Offentlighetsgrundsatsen" has been long enshrined in Swedish law.

Sweden enacted the world's first Freedom of Information Act in 1766. Chapter 2, Article 1 of The Instrument of Government guarantees that all citizens have the right of freedom of information: that is, the freedom to procure and receive information and otherwise acquaint oneself with the utterances of others. Specific rules on access are contained in the Freedom of the Press Act, which was first adopted in 1766. The current version was adopted in 1949 and amended in 1976.⁷³¹ Chapter 2 on the Public Nature of Official Documents, decrees that "every Swedish subject [and resident] shall have free access to official documents."

Best practices

- *Anonymity of requests:* Requests can be in any form and can be anonymous.
- *Records management:* Each authority is required to keep a register of all official documents and most indices are publicly available. This makes it possible for ordinary citizens to go to the Prime Minister's office and view copies of all of his correspondence.

⁴ Freedom Of Information Around The World 2006, A Global Survey of Access to Government Information Laws
<http://www.privacyinternational.org/foi/foisurvey2006.pdf>

- *Protection of public servants:* In Sweden, the Freedom of the Press Act gives civil servants a fundamental right to anonymously criticise the actions of government bodies. The protection in these laws is limited to only public servants and mostly has to do with the unauthorized release of personal information.
- *Constitutional validity of Act:* In Sweden, the Freedom of the Press Act is one of the four fundamental laws that make up the Swedish Constitution. Any changes to it require a longer procedure over two Parliaments.
- *Awareness campaign:* In Sweden, the government ran an “Open Sweden Campaign” in 2002 to increase public-sector transparency, raise the level of public knowledge and awareness of information disclosure policies, and encourage active citizen involvement and debate. The government said that even with the longstanding existence of freedom of information in the countries, there were problems with both the application of the Act and public knowledge of their rights.

Conclusion

1. Right to Information Act has brought about significant changes, although best practices are more local. Some of the implications of the Act are explicit in that they have been used for soliciting crucial information and have provided the impetus for service delivery.
2. While changes have been effected from supply-side with Public Authorities and Information Commissions taking lead in enabling effective access to information and paving the way to better service delivery, there has been demand-side pressure as well. We may say then that, pro-active role played by officials and by civil society alike, have ensured that Right to Information Act stays at the centre stage for greater accountability and transparency at all levels.
3. Good practices need to be shared across states and Information Commissions to enable mutual learning and possibilities for emulation.
4. A national level agency to oversee facilitation on RTI for both supply and demand side requirements would be worthwhile.
5. Information technology has played a significant role in shortening the path to information sharing. It has eased the way to access information, and provided a wider outreach as far as government information is concerned. There are still avenues to be reached and dynamic information to be updated periodically.
6. A platform for sharing views and opinions and challenges and constraints would be critical in pooling together experiences. A national level agency that could provide help in managing the knowledge resources on this would be worthwhile.
7. Salient conclusion of the assessment surveys conducted were ' low compliance resulting from weak political will and administrative commitment, indifference of public authorities, failure of bureaucracy, lack of accountability for implementation, prioritizing categories of information, expediting pace of cataloguing, indexing and computerizing records, incentives for disclosure and penalty for not doing it. Actionable points need to be prioritized on the basis of identified gaps.

Key Recommendations Emerging from the Study

Of the several innovations and unique practices mentioned in the compilation, some or all could be adapted with immediate effect and or in the near future. These along with the responsible actors for doing these are highlighted below:

S No.	Key Recommendation(s)	Precedents	Action to be taken by / at
1	<p>Constitute 'High - Powered Committee' to monitor implementation of the Right to Information Act.</p> <p>Decisions of High-powered committees should be treated with sanctity and should by definition NOT be open to review or re-examination by any other entity than the Cabinet concerned.</p>	Andhra Pradesh, Haryana, Meghalaya, Karnataka	State Governments
2	<p>Establish RTI Call Centres to facilitate RTI applications from non-literate sections of the population and to make submission of application more convenient for others as well.</p> <p>The prospects or opportunities for instituting public-private-partnership models for operationalising a Call Centre should be explored.</p> <p>All future models should attempt to appropriately address such possible glitches as could be caused due to inadequate technological or human resource support.</p> <p>Any improved model should be so devised that, if the improved model (in the State where a beginning has already been made or in any other State) is initiated at the State level first, it can be easily scaled up to cover more States or all the States - on a single technological platform.</p> <p>Such possibilities for integration of technology and of other processes should be provided for in the beginning itself.</p>	Bihar, Delhi, Orissa	State / National level(s).
3	<p>Pro-active disclosure of static / dynamic information through the official website should necessarily be done as required by the 'RTI Act, 2005'.</p> <p>Where Public Authorities do not have their own websites, such disclosure should be made on the website of the 'parent department'. Appropriate links should be provided to access such proactive disclosures of individual public authorities from the homepage of the parent department's website.</p> <p>Moreover, Heads of departments and, in turn, Heads of Public Authorities should be made responsible for that.</p>	Meghalaya, AP, Nagaland	Public Authorities / all states and central

4	<p>A methodology for thoroughly assessing compliance of Public Authorities with the 'RTI Act', 2005 should be devised. It should be circulated to all nodal departments as also to other stakeholders whereby a public authority can assess its own compliance.</p> <p>In fact, such a framework or tool could be used by an external agency as well to gauge the compliance of a Public Authority or to verify a Public Authority's claims of compliance.</p>	Uttarakhand	ICs and High power committees
5	<p>Technology updation at all levels of government functioning. This should be aimed, among others, at effective records management including maintenance, retrieval and destruction of records; facilitating proactive disclosure on online networks to the extent possible, as also to put in place a communication system for timely and accurate reporting as well as for a citizen-friendly interfaces (as adopted, for example, by the APIC).</p>	Kerala, CIC, Tamil Nadu (TN), AP	State and Central PAs
6	<p>E-tools for tracking RTI applications, PA compliance should be adopted to keep the citizens informed about the status of disposal of their applications and first appeals (in case of Public Authorities) and especially in case of second appeals and complaints made in case of ICs.</p> <p>It is important to note here that many RTI applications are filed by citizens to get particular grievances redressed or to find out what action was taken on a citizen's complaint in case of unsatisfactory delivery of a particular service.</p> <p>Hence, the service delivery, including the grievance redressal mechanisms / processes of public authorities should be RTI compliant such that all such applications are properly responded.</p> <p>Technology can be used to build effective MIS for this purpose. Citizens should also be allowed to know / track the status of their complaints / grievances.</p>	AP, Karnataka	ICs
7	<p>Separation of Public Interest Cases from other cases for prioritization.</p>	Orissa	IC
8	<p>Sorting applications at <i>dak</i> stage for ensuring appropriate disposal based upon the nature of the application.</p>	Tamil Nadu	PAs
9	<p>Decentralized functioning of Information Commissions by constitution of benches region-wise could facilitate speedy disposal of cases and could, possibly also facilitate closer monitoring & evaluation of implementation decisions / recommendations through field investigations.</p>	Maharashtra, Karnataka	ICs

	This could also benefit appellants in terms of having to travel comparative shorter distances for being present during the hearing of the second appeals concerned by the respective Information Commissioners.		
10	<p>Reinforce mass awareness and IEC dissemination at PA level.</p> <p>This can be done best by preparing customised aids (guides / handbooks / toolkits), especially for the marginalised sections of the society.</p>	AP	State level and PAs
11	<p>Encourage internships at information commissions for bringing more and more youth into the fold of facilitating the implementation of RTI.</p> <p>It is proposed that such exposure will make them better messengers of RTI in future.</p> <p>Moreover, it would help ICs better handle their caseload.</p>	Kerala, Bihar	ICs
12	<p>Incentivize consistent RTI Compliance. This could be done for, both, Public Authorities and for individual implementing officials within Public Authorities.</p> <p>To the extent they share extra workload (as can be objectively determined), the need, perhaps, to be compensated.</p> <p>Outstanding instances of initiatives / contributions that not only uphold the RTI Act in letter and spirit, but also set an example for others to follow should be duly recognised and disseminated, if not rewarded per se.</p>	Orissa	State and Central
13	<p>Set definite criteria to identify a Public Authority. The initiative in Karnataka is a laudatory initiative for others to follow.</p> <p>Similarly, as suggested by several other information commissions (in their Annual Reports) the Appropriate Government should notify rules, non-government organisations which</p> <p>It would be ideal for all appropriate governments to discuss and arrive at a common consensual understanding for identifying (as far as possible objective) criteria that will qualify NGOs as public authorities and require them to scrupulously comply with the Act.</p> <p>It may be suggested that the initiative to arrive at a common consensual understanding among appropriate governments may be taken up by DoPT and the recommendations made by</p>	Karnataka	State and Central govt.

	the Administrative Reforms Commission in this regard could be an appropriate reference for such discussions.		
14	Ensure pro-active disclosure at all PA levels - panchayat, district, state levels	Kerala, Madhya Pradesh, Chattisgarh, Himachal Pradesh	Central and State PAs
15	RTI facilitation centres be established at sub-district levels where the offices of public authorities are usually located in a cluster or even within key public authorities- for, in most States, it is at these levels that compliance of the supply side is the weakest and the demand from the citizens could be higher than it presently is if the Public Authorities are made more approachable.	Punjab, Gujarat	
16	Set up a knowledge base for keeping track of best practices	CIC	State RTI Cells, ICs, National Agency
17	Set up a National and / or State level Agency to support compliance by PAs and performance of ICs from time to time including carting out monitoring and evaluation from time-to-time.	International precedents (Honduras)	Central Government / State Governments
18	Encourage the coming together of all the stakeholders - at various levels (State / regional / district / sub-district) - to work together in a synergised manner for the cause of strengthening and continually improving the RTI implementation regime envisaged by the 'RTI Act, 2005'.	ICs (Annual Convention)	National / State- level / District-level agencies.