

Sharing Power with People

Conference on

Right To Information: Law, Institution and Citizens

What we got from the conference

21-22 June 2009 Hotel Sheraton, Dhaka

Use of ICT and Information Management

- Civil servants must have certain level of computer literacy and they should regularly put information on the website about the activities of the departments concerned.
- Union Parishad should be brought under ICT network. The government's present plan is to take it up to upazila level.

Role of media in enforcement of RTI law

- The media can help create a demand on right to information and supply proper and actual information to the people, by monitoring implementation of RTI law and presenting best examples.
- Media can be an advocate for promoting and popularizing RTI.
- Journalists should be trained on RTI law. A code of conduct for media can be introduced on RTI and related issues.
- The media can highlight positive stories, success stories on RTI.
- The media should publish information available from both sides of an issue, otherwise partial truth will be exposed.

Capacity development & communication model

- Training of government officials and all other stakeholders is essential for efficient record keeping, data management and setting internal and external communication strategies.
- It is not necessary to create a specialized service only to maintain records and provide information, but officials from within the departments should be trained.
- A network of the designated government and NGO officials could be created for capacity building and sharing experiences.
- The information most demanded by the rural people can be specified to ensure easy access to the applicants.
- As implementing the RTI is the biggest challenge now, a plan of action should be prepared (which may be with the coordination of the RTI Forum) for its implementation, capacity building of the officials and the people as well.

Formation, role and functions of the Commission

- It has to be made sure the fact that the determining the ranks, remunerations, allowances and facilities of the commissioners is not a tool to **control the commission**. The budget should come directly from the parliament.
- By publishing its reports regularly, the Information Commission should show **modeling behavior and standards**.

Formation, role and functions of the Commission

- Information Commission can create awareness among people to help them reap benefit from the RTI act.
- Each of the commissioners may have the authority to decide on complaints. It should not be mandatory that three commissioners must sit together to decide on the complaints.
- The commission should have the authority to interpret the law.
- Assign different staff to promotional functions and complaints/appeals.
- Put in place a system for resolving complaints against the commission.

Formation, role and functions of the Commission

- There must be transparency at all levels, right from the selection process of the members of Information Commission. It should be free of political choices. Competence and honesty should be two major criteria for selecting commissioners.
- Ranks and salaries of the Information Commission members should be clearly specified in the RTI act to make sure that no confusion or conflict arises out of it.
- Information Commission should act as protector of the law and support to create mechanism for mass awareness.

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RTI law implementation: legal aspects

- Rules and regulations should be formulated in detail for information request procedure, proactive disclosure, exemption criteria and delivery of service. The guideline that should consider needs and interest of the poor and disadvantaged people.
- Based on the implementation experience, the exemption list should be reviewed in order to remove confusion and protect the spirit of disclosure.
- Certain provisions of other relevant laws (such as Official Secrets Act, Rules of Business etc.) that contradict with the RTI law should be repealed.
- There should be legal protection for the whistleblowers and it should be defined or perceived as public interest.

RTI: Conceptual and some practical issues

- RTI is a tool of sharing power with the people. The process of empowering people through RTI should start from the grassroots, providing them with all information they need.
- People's awareness is necessary to get the maximum benefit from the RTI law. They should be sensitized and made aware of their rights. Different stakeholders can play role in this regard.
- RTI can strengthen democracy and help establish participatory democracy though facilitating free flow of information.
- The needs of diversified groups of people, including the people with disabilities, should be considered while implementing RTI law.

Implementation: some common challenges

- Political will is a must to ensure effective implementation of the RTI law and people's access to information. Government must be sincere about making the law truly beneficial for the people.
- To check corruption, social audit can be introduced. In India it is proved to be a useful tool of ensuring transparency and detecting irregularities in public expenditure at the grassroots level.
- The government does not have required infrastructure, informed personnel and necessary facilities including data bank, IT and archive. Adequate resource mobilization needs to be done involving private and public actors.
- Mindset is a big hurdle. Government officials think it is their duty to keep information secret, not to disclose them. People's mindset should also be changed. They should know information is their right, not a favor.