

Daily Star, December 15, 2015

Right To Information: Using RTI to get justice



RIGHT TO INFORMATION

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Since our last column, we were privileged to attend three meetings organised by the government as part of its efforts to promote open and accountable governance in the country through RTI. These included a meeting at the Bangladesh Secretariat where most officials of the Cabinet Division of the Government were present. The other two meetings related to District Advisory Committees (DAC), set up by the government last year, in all 64 districts. The government gazette mandated them "to implement effectively the Right to Information Act at District level as well as for coordination of functions of Government and non-government organisations." DACs are required to meet once a month under the chairmanship of the District Commissioner, with 15 other members representing key sectors of the government and the civil society. If they fulfill their objectives, DACs will provide a much needed shot in the arm of the fledgling RTI regime in Bangladesh.

All the three meetings were moderated by the Cabinet Division of the government. The fact that the government has appointed a secretary level official, with the required staff, to steer its programme titled "Connecting Government with Citizens: Strategic Plan on Implementing Right to Information Act, Bangladesh", is by itself most commendable [see <http://www.cabinet.gov.bd>]. No other government in South Asia has shown such commitment to promote RTI.

From these meetings we learnt what the government has done so far to promote compliance of the RTI Act by public officials. We were shown pictures in which senior government officials were seen signing pledges and handing them over to the prime minister as a mark of their commitment to promote government programmes in this regard. Such pictures will warm the hearts of ardent believers of transparent, accountable governance in the country. However, as they say, the taste of the pudding is in the eating. It is for citizens now to test the will of the government to deliver on its promises.

Government participants at the meetings dwelt at length to express their commitment to implement the RTI Act. Sceptics may not, however, be convinced by their utterances. There are those who still mistrust the government's resolve to steer away from the age-old culture of secretive governance, in which people are mere recipients of government's grace, towards a more open, accountable system where they exercise rights to monitor the work of the government. Despite this, however, those who understand the immense capacity of RTI to serve as catalyst for change would also understand that there is now a tremendous opportunity for citizens to pursue the change they wish to see in governance.

To drive the point farther, it may be useful to remind readers that the RTI Act is the only law, among over 1,100 laws of Bangladesh, which allows citizens to control the behaviour of the government, while the rest are mostly meant for the government to control citizens. Let us now consider a few examples, from home and abroad, to see how RTI can:

- * help individual citizens to claim their legitimate rights;
- * aid citizens' groups to obtain services wrongly denied to them;
- * benefit the entire country by preventing abuse of public power/funds; and
- * speed up processes of government service.

RTI helps individual citizens

A mother in India lost her policeman son in an accident, thus being deprived of the financial support from his income. Her daughter-in-law drew the family pension till she resided in her husband's home. But when she remarried, the modest financial benefit she used to share with her mother-in-law also stopped. The mother was left destitute. She went from one office to another asking about her son's other benefits to support her old age but did not get any cooperation from the authorities concerned. Finally, she filed a complaint with the Central Information Commission. The directive of the Commission allowed her to access all files and their notings about her son's terminal benefits. It also asked the authority concerned why the information was not provided earlier. As a result, she learnt that the benefits due to her amounted to Rs. 4 lakhs.

RTI aids citizens' groups

The Food and Disaster Management Ministry implements many safety net programmes to help vulnerable people living below the poverty line. Among these, a key programme is the Vulnerable Group Feeding (VGF) which provides food ration to indigent households through VGF cards. However, cards are often awarded to less deserving people due to malpractice and nepotism. To combat this practice, the submission of RTI applications seeking a list of recipients and the names of people who prepared the list is often enough for applicants to obtain a VGF card. Fearing unpleasant consequences, the authorities would rather provide VGF cards than answer probing RTI queries. Sometimes RTI activists would ask for quantity of food grains VGF card holders are entitled to receive. In one such case, an activist found that the amount was 10 kgs. Armed with this information, he went to the Union Council and informed beneficiaries queued up for their ration that their entitlement was 10 kgs and not the 7 kgs they were being offered. After some haggling, the Chairman fixed the amount at 9.5 kgs.

RTI benefits the country as a whole

An investigation into corruption by senior politicians in India sparked public interest when the Controller General of India pointed out that large and profitable coal allocations had been made improperly. This resulted in the loss of millions to the public exchequer and led to a CBI investigation. Fearing a cover up, concerned citizens made RTI applications to learn how decisions to allot large coal mining blocs had been made. At first, information was refused on the grounds that giving it would hamper investigation. However, the Information Commission insisted that the information be provided. Replies showed that procedures had been deliberately changed in ways to benefit the favourites. File notings showed who had made those unfair decisions. When the government claimed some vital files were untraceable, RTI applications were again filed to inspect the movement register of the ministry. This showed where files had gone and how they were suddenly found. The publicity thus generated forced questions in Parliament and deeper explanations from the government. It also forced changes in the way future allocations were made and eventually landed the minister in jail.

RTI speeds up government processes

In a remote village in India, there were no drainage systems or roads to connect to the cities. A housing scheme announced by the government remained unimplemented. Five villagers got together to file an RTI application asking why roads and drains had not been laid and why no disbursement of funds had been made under a government programme. They also asked for a copy of the government survey list which plotted the subsidised housing scheme. As a result, the administration quickly began putting down roads and drains and released funds for the construction of houses. The practice of naming beneficiaries in public lists displayed at the village office ensured that transparency had come to stay.

We hope that as RTI picks up pace, we shall be able to cite more examples from Bangladesh. However, it will accelerate only when more citizens make greater use of the law. There is a particular need for the educated classes to take the lead. As the government exhibits greater

intent to make the law work, citizens must put it to test. Their predilection to take the government to task for its failures must now be matched by their determination to make use of the RTI Act for greater transparency and accountability in governance.

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