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A revolutionary law

The Right to Information Act (RTI), one of the most important laws of Bangladesh that came into force on July 1, 2009, is perhaps also the country's least known. Many see it as the most revolutionary law adopted by the Bangladesh Parliament. This is because, unlike any other law, it empowers citizens to monitor the work of government officials and public authorities, including many NGOs. And in doing so, they contribute to promoting transparency and accountability in governance. The Daily Star has decided to dedicate a regular monthly RTI column to show its readers that it is possible to challenge anomalies within the system and bring about real change.

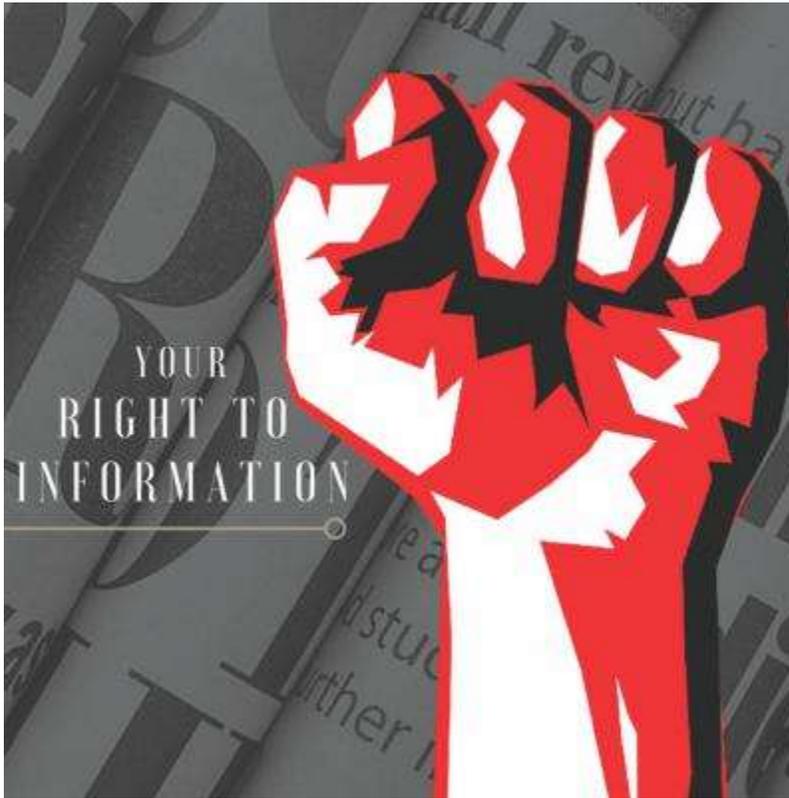


Illustration: Nahela Nowshin

[Shamsul Bari and Ruhi Naz](#)

Surveys and reports have shown that a key reason for the tardy progress of the RTI law in Bangladesh is the lack of trust of citizens (the demand side) in the government's intention to implement it whole-heartedly. Many find it difficult to believe that the same authorities (supply side), who for centuries have been denying citizens access to pertinent government information, would now open up just because there is a new law.

Despite the disbelief and uncertainty, there are signs of progress. Factors which have contributed to the recent progress in the law include successful promotion of the use of

the law by a number of NGOs, particularly among the marginalised communities. In the process, the latter has discovered the tremendous reach of the law to access information on how the benefits of various safety-net programmes of the government, which are aimed at alleviating their poverty, are often denied to them due to malpractices of concerned public authorities. They also learnt how they can change the situation simply by seeking pertinent information through application of the RTI law.

Painstaking but rewarding

Tahera Begum's application to the police station

On July 12, 2011, Tahera Begum, a housewife who lived in Saidpur, decided to submit an RTI application to the local police station asking for information on the number of complaints filed at the police station on torture and abuse of women during the first six months of the year 2011.

She had been trained by RIB on how to apply. As mundane as the application sounded, the whole process turned out to be a long drawn ordeal for her. When she went to the police station together with a few other group members, at first, the officer on duty rudely refused to accept her application. However, when the group informed him about the RTI Act and his responsibilities under it, the officer accepted the application but refused to provide any receipt for it, as required under the law. He told them that an acceptance letter would be provided in the evening after the Officer in Charge (OC) returned to office. Accordingly they returned to the police station that evening, only to learn that their application was 'lost' and could not be traced. Having no other choice, another application was sent through registered mail on July 30, 2011. After that, 20 working days passed without any answer from the concerned police official, as required under the law. An appeal was therefore filed with the Appellate authority, the Police Superintendent, again through registered mail. Receiving no response this time too, the applicant submitted a complaint to the Information Commission on October 30, 2011.

The Information Commission summoned both the parties to attend a complaint hearing in Dhaka. After hearing both sides, and learning that the applicant was harassed and badly treated at the police station, the Information Commission ordered the police officer concerned to provide the required information within one week upon return to their home town. Eventually Tahera Begum was able to receive the information she sought. The local media reported the matter and gave it wide publicity.

The incident created ripples among the public in Saidpur. The RTI animator of the group commented, "In our area, ordinary people avoid police stations for fear of harassment and insult. Here was a simple housewife whose complaint took the SP to Dhaka! The incident was a first step toward removing such fear. It served as a tonic for the people. They are no longer afraid of government offices. This incident is an example of how the RTI Act can empower people through its application." [Ref: Complaint No. 41 of 2011

<http://www.infocom.gov.bd>]

Secondly, the Government has of late awakened to its responsibilities under the law and initiated a number of useful measures to help its implementation. This includes directives to all public officials to discharge their responsibilities under the law more diligently.

The third factor is the maturity gained by the Information Commission over the years which is being put to good use both in terms of promoting greater awareness about the law in the society and in resolving disputes between the demand and supply sides. Taken together, they are likely to lead to greater use and success of the law.

However, real progress will come only when more citizens, from all sections of society, become ardent users of the law. Citizen groups that are yet to be excited about the law includes the middle and educated classes, as well as all professional groups, including the media, lawyers and politicians

If more people were to learn about the inherent strength of the law to help individual citizens redress personal grievances and about the crucial role it can play in changing the colonial mindset of public officials, they too would be attracted to make use of it.

It is hoped that the case studies in these columns will attract more members of these groups towards using the law. It

is only through participation of citizens from all walks of life that the basic objectives of the law would be achieved.

The case studies will be prepared by the RTI team of Research Initiatives Bangladesh (RIB) which is involved in the promotion of RTI in Bangladesh. They will be based on incidents gathered from all over the country by the RTI Forum of Bangladesh and also those reported by the Information Commission.

Apart from focusing on the substantive aspects of each case, the studies would also seek to throw light on the processes involved in the implementation of the law. These would include the process of application by the demand side, response from the supply side or the lack of it, and resolution of disputes between the two sides by the Information Commission.

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Case studies prepared by RTI team, (RIB).**