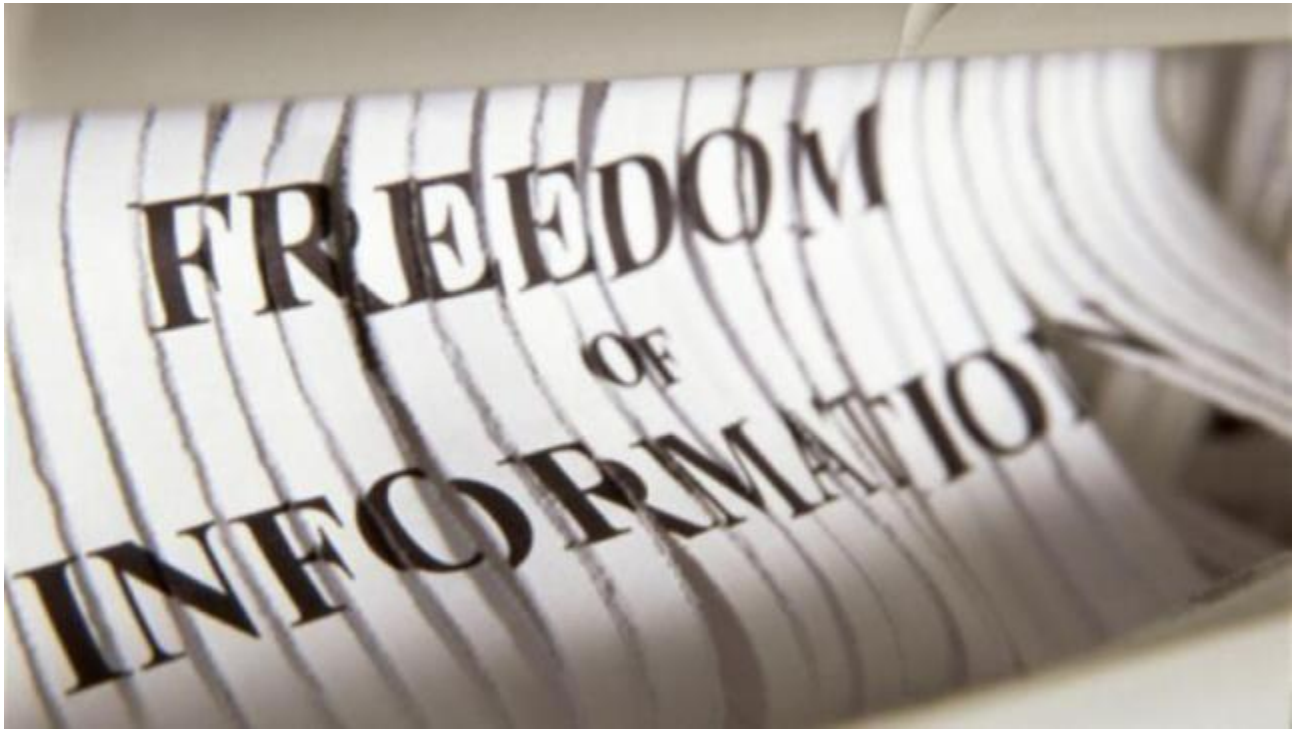


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Is RTI Act becoming popular in Bangladesh?



Shamsul Bari and Ruhi Naz

You are really doing a great job,” said the Designated Officer (DO) of the District Social Welfare Office of Dinajpur. He was talking to a member of the public who had gone to his office to submit a Right to Information (RTI) request. “We, government servants,” he continued, “are paid from the public fund, so we must be accountable to the people. You should spread the word about people’s right to information all over the country. Most people do not know what this law is and how to use it.”

Another DO, the Assistant Commissioner (Land) of Charghat, Rajshahi, told an applicant: “I don’t know what my predecessors did in this office, but I am determined to rid it of its reputation of rampant corruption. You can help me do this. It is very important to bring us face to face with

people. I am convinced that the more we learn about the law the more transparent government offices shall be.”

Participants at an RTI seminar in Dhaka on August 1 were both surprised and delighted to learn of such positive attitudes of government officials towards the RTI Act, 2009. Since the law came into force 10 years ago, stories abound of the irreverent and negative attitude of such public officials towards the law. Most felt it would cause them trouble and increase their workload unnecessarily. In comparison, these are happy tidings indeed.

The seminar was organised to disseminate the findings of a just-completed study by two leading NGOs of the country. The project was aimed at promoting RTI among different strata of society, increase its users and to bring them into closer contact with public authorities. In other words, building a bridge between the demand side and the supply side of the RTI regime.

There were, of course, many examples of extremely negative DO attitudes towards RTI applicants. Typical among them is the remark of the DO of “One Home, One Farm” project in Kaliganj Upazila, Satkhira District, who told an RTI applicant: “Why should I give you information, who are you to ask for it?” The Headmaster of Zikra High School, in Rajshahi District, was harsher on an information seeker who had asked for some information on the school. “Who is instigating you to seek such information?” he asked. “Whoever is behind it must be looking to ruin your lives. You may not understand it now, but you will soon.”

RTI users are conversant with such remarks. Government officials seem unable to reconcile with the fact that there is a law now which gives citizens the right to demand from them all non-exempted information at their disposal, without giving any reason. They are unhappy that their earlier power to withhold any pertinent information from the general public has been revoked by the RTI Act. Some still do not know about the law or perhaps do not want to know. To implement RTI under such circumstances is indeed an uphill task.

The project reveals some light at the end of the proverbial tunnel. During the course of the one-year project, around 18,000 RTI applications were submitted to public authorities in four project districts—Rajshahi, Dinajpur, Naogaon and Satkhira. In the context of the annual average of slightly over 7,000 RTI applications throughout the country, it is remarkable that only two NGOs could generate more than double that figure and that too in a limited area. Around 61 percent of the applications got full or partial responses, perhaps indicating that public authorities are beginning to respond to citizens’ RTI requests as routine work. While this augurs well for the

future of the regime, it is pertinent to ask if such progress can be sustained without continuous project support in the future and whether citizens would be less fearful to submit RTI requests without help from NGOs.

The report divided the RTI requests into three broad categories: i) those seeking primary information of a personal nature; ii) those seeking institutional accountability; and iii) those seeking transparency.

In the earlier years, RTI requests mostly belonged to the first category. They were made by members of marginalised communities, with assistance from NGOs, seeking to know how the government's safety-net programmes were managed and how they could benefit from them. Findings under the project, however, showed that such applicants and others have upscaled their information requests by seeking information on matters relating to institutional accountability and transparency in the work of public bodies. They are increasingly asking for information on such matters as expenditure of local authorities on road-building, bridges, culverts, etc. This must be seen as significant progress.

Concerningly, the report reveals that 25 percent of the RTI requests received no response at all; pressure tactics were used to discourage appeals, especially those pertaining to transparency.

An encouraging claim of the report is that around 231 RTI activists emerged in the four project districts during the project period and around 2,200 persons were trained as RTI experts to help others use the law. If only a handful of them exercise their expertise properly, RTI in Bangladesh could be headed for better times.

But not everything was as rosy. The main gripes of many who participated in the project and those attending the seminar, appeared to be directed against the Information Commission (IC). Many felt that the main challenges for RTI users in the country could be minimised if the IC was less bureaucratic and more attentive to their concerns. The key issues identified by them for corrective measures by the IC included the following:

i) The requirement to address RTI requests to specifically named Designated Officers (DOs) must be removed. Many requests are rejected or returned simply because DOs could not be identified or were not appointed or changed frequently.

- ii) The propensity of the IC to grill complainants with personal queries and/or asking for reasons for their requests at complaint hearings is disconcerting.
- iii) The readiness of the IC to postpone complaint hearings when the DO is absent repeatedly and its disinclination to do so if an ordinary applicant is absent even once is discriminatory.
- iv) The promises of DOs to provide the requested information only after directive of the IC at complaint hearings are often dishonoured. The IC must find a mechanism to stop this practice.
- v) It is not uncommon for complainants to receive IC's summons after the date of the hearings when it has already discharged the matter for non-appearance of complainant. This is most discouraging.

Reverting to positive developments, the project also witnessed a successful application of the law by citizens to seek information on hitherto unchartered areas. Participants were encouraged to focus RTI queries on the government's implementation of the Sustainable Development Goals (SDGs) and Five-Year Plans. By asking for progress reports on them, RTI users not only enriched their own knowledge about the government's development works, but also helped public officials to keep abreast of their status. It was thus mutually beneficial to both the demand and supply sides. It helped to minimise the fear factor which deterred citizens from making use of the law in the past.

The positive developments give rise to hope and underline the importance for all the stakeholders—citizens, public authorities and the IC—to work together to overcome the challenges that remain and reap the harvest of this very important law of the land.

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