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RTI in Bangladesh

Is there light at the end of the tunnel?



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Reva Rani of Taraganj Upazila of Rangpur District was determined to bring electricity to her home. But, all her efforts, including payment of "speed money", failed. Then she learnt about the Right to Information (RTI) Act from a group of NGO activists; she applied to the local electricity office for information on the process and cost of obtaining a connection. Her application and subsequent appeal went unanswered, whereupon she filed a complaint to the Information Commission. But before the complaint hearing the local electricity office called her in and gave her the information she sought. She was surprised that the requirements, including cost, were so reasonable. With the information in hand, she sat, along with a few others from the local community, in a dialogue with the electricity office in which the DG was present. The latter reprimanded his staff and ordered that not only Reva Rani, but other local applicants should receive electricity within a week. And they did.

Some readers have scorned our "naivete" to believe that an RTI law can work in a country like ours with its long tradition of secretive governance. Some have expressed doubt that the law has

enough bite to make recalcitrant public officials disclose information permissible under the law but "worrisome" for the government. Others voiced disbelief that the latter is prepared to bare its records to public scrutiny. Some question the readiness of the Information Commission to be an impartial arbiter for dispute resolution.

Sentiments like these inevitably impede progress of the law and dampen hope. This has been a regular lament of this column. But is the situation that hopeless? Is there light at the end of the RTI tunnel? As ardent believers of RTI, we would like to say "yes", and Reva Rani's story is just one reason.

To begin with, the law has survived for more than a decade; there are people, however limited in number, who use it, indicating that a base has been created. This needs to be built upon with care and determination.

By nature, transparency laws are difficult to implement. RTI Acts have not fared well in most of the 130 countries and territories where they exist. Critics allege that majority of the governments adopted the law primarily to enhance their democratic credentials. And most of them are uncomfortable to let it operate freely and ready to muzzle it whenever feasible. We see this during the Covid-19 pandemic.

The good news is that such efforts often fail in the face of resistance from citizen groups. Though such groups are yet to emerge as a force in Bangladesh, there is reason for hope. NGO efforts over the years to promote the law have begun to bear fruit with the slow but steady growth in the number of RTI users and, more particularly, in the increasing sophistication in the use of the law. They have also contributed to greater interaction between citizens and public officials. If the trend continues, more citizens will mobilise to make the law easier to use and to resist any efforts to erode it. Three more examples illustrate this trend.

Inhabitants of the Sadar Upazila of Satkhira District were surprised to find increased water bills from the local municipality without prior notice. An aggrieved group of citizens, sensitised by an NGO on RTI law, submitted an RTI request to the Designated Officer (DO) of the municipality asking to see the official decision on the increase and related information. The very next day the mayor called the applicants to inform them that the increased rate was withdrawn.

After being sensitised by a local NGO about RTI, Mizan of Kaliganj Upazila of Satkhira District decided to invoke the law to find out the officially fixed registration fees for students to sit for

the SSC exam. He drafted an RTI request addressed to the headmaster of a local school asking for a copy of the circular sent by the education ministry setting the exam fees. When he went to submit the application, the headmaster denied having received such a circular and declined to receive his application. Mizan then explained the provisions of the RTI Act to him and the likely consequences for disobeying the law. This made the headmaster agree to receive the application. Three days later Mizan got a call to pick up the requested information. Mizan spread the information around, as a result of which guardians were spared the extra amount they had to pay in the past.

Kunal, an RTI activist of Dinajpur District, had submitted an RTI request to the Divisional Commissioner's office of Rangpur seeking particulars of Designated Officers (DOs) of all public offices of the Sadar Upazila of his district. In due course, he received a response and asked a friend in Rangpur to fetch the information on his behalf. After providing the information to him, the DO took him to the office of the Assistant Divisional Commissioner. The latter informed him that as this was the first RTI request to his office, the Divisional Commissioner had included the subject on the agenda of the monthly meeting with senior officials of his division. At the meeting, he directed the District Commissioners to prepare lists of all DOs of public authorities under their jurisdiction and send them to his office. He also underlined the importance of RTI to them and commended NGO efforts to popularise the law.

Inspiring stories like these are providing much-needed proof about the value of the law to ordinary citizens. Unfortunately, examples of rude behaviour by DOs, turning people away without accepting their RTI requests, also abound. They spread like wildfire and tend to scare prospective users away.

To go forward, we need more positive experiences and fewer negatives. The involvement of NGOs to promote the objectives of the law will have to continue. By working hard to create RTI activists, NGOs have spread the law to a much wider category of users. There has been a significant increase in the variety of subjects/issues on which RTI has been invoked. And the use of the law has also spread geographically in the country.

But since NGO work is largely dependent on external funding, a way must be found to sustain them. To ensure that NGOs are able to continue their critical role in promoting RTI in the country, the government should give serious consideration to utilising their expertise to ensure transparency and accountability in the disbursement of many of its beneficial programmes for citizens.

To minimise negative experiences, a more proactive Information Commission, sensitive to the needs of RTI users, is vital. No other agency has a better understanding of the difficulties citizens face in putting the law to use. It can also do more to bring non-compliant public officials to book.

But ultimately, it is citizens who must do more. They must recognise that RTI is uniquely a peoples' law and, therefore, they must take the lead to ensure its proper functioning. Citizen watchdog groups must keep the system under constant watch, articulate users' concerns, agitate for the removal of impediments they face in applying the law and stay vigilant against any move to restrict it. If that happens, the faint light we see at the end of the RTI tunnel in Bangladesh today will soon shine brighter.

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