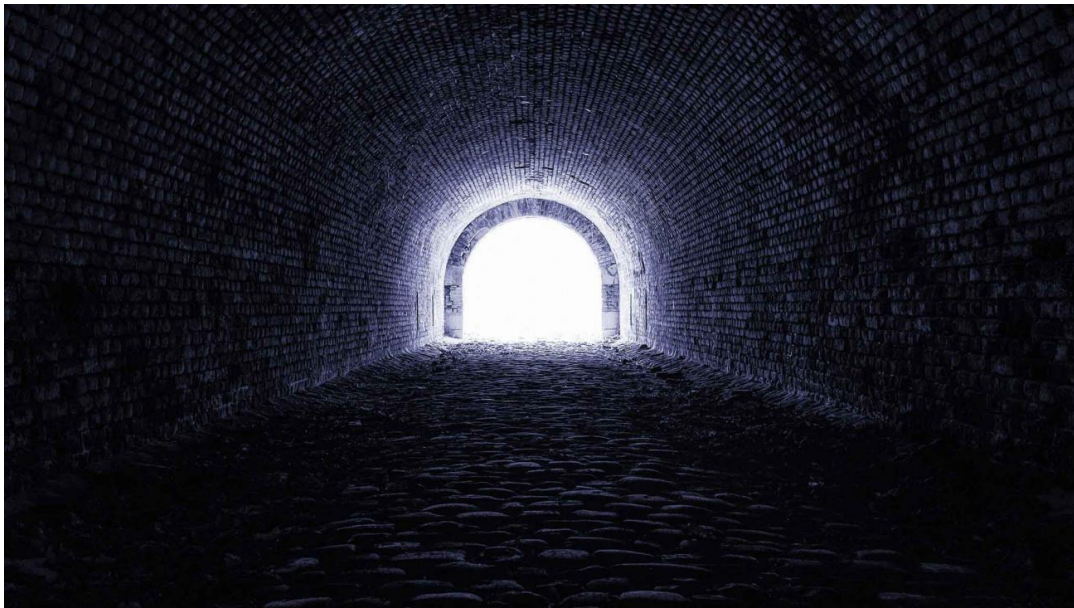


The darker side of RTI in Bangladesh

Shamsul Bari, Ruhi Naz

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Today, we turn away from the positive and encouraging side of the Right to Information movement in Bangladesh, depicted in our previous column (The Daily Star, April 16, 2022), to peer into the shadows.

Union Parishad Chairman threatens to beat up RTI applicant: The case stemmed from an RTI application submitted to the Designated Officer (DO) for RTI of a Union Parishad (UP) in Nawabganj Upazila, Dinajpur District, on February 6, 2022. Harunor Rashid, a local journalist, sought the following information: the number of Succession Certificates issued by the UP during the calendar year 2021; the amount of fees levied for their issuance; and the government account to which the money was deposited. While waiting for a response, the applicant happened to visit the UP office on some other business on February 17, 2022. The Secretary of the UP, who is also the DO, spotted Harunor and informed the Chairman. According to local media, the Chairman apparently lashed out at him for his audacity to ask for

such information. He used the "most filthy language, threatened to beat him up and threw him out of the office." Such behaviour is bound to scare prospective users of the law.

Railway official enraged upon receiving RTI application: Rita Akhter of Godagari Upazila of Rajshahi district had submitted an RTI request to the DO of the local office of the Railway Department, seeking information on three counts. One, what actions were taken by the authorities to combat black marketing of railway tickets; two, rules authorising ticket-checkers to recheck passenger-tickets at the exit gate; and three, railway policy/rules, if any, to deal with poor behaviour of transgender passengers on trains. After passing through several hands, the application ended up with an officer who called the applicant on the phone and asked about her background, profession, and reason for seeking the information. He allegedly went into a rage and asked the applicant whether she had visited the station recently and was aware of various measures undertaken by the authorities to combat black-marketing and so on. He was reportedly extremely rude to the applicant and was annoyed by the fact that she used the RTI Act, which he felt was an instrument to harass public officials. If what we gathered is correct, it is indeed sad that government officials hold such a misconception about the purpose of RTI. This must change for the law to succeed.

Designated Officer angered by an RTI application from a person who resides in another area: The case arose from an RTI application submitted by one Quamruzzaman Pasha, a resident of Sariakandi of Bogura District, to the DO of the Environment Directorate Office of Moulovibazar Sadar Upazila of Sylhet district. He asked for some information on the air-pollution situation in Amtoil Union under the Upazila. He wished to know what measures were undertaken by the authorities to protect local inhabitants from the harmful effects of factory emission in the Union and receive reports on factory visits by concerned officials. Upon receiving the application, the DO reportedly called the applicant and asked what interest he had in seeking information on an area where he did not reside. She further told the applicant that she had no time to visit the concerned areas nor to respond to his RTI request for information covered by official secrecy. The DO was obviously unaware of the scope of the law, the lack of geographical limitation on its application countrywide, and requirement to provide reason for seeking information under it.

Our investigations revealed that applicants face a variety of reactions from irate officials who feel uncomfortable to deal with RTI requests. For example, DOs may call and ask them to withdraw their applications or face dire consequences; employ other tactics to withdraw requests; invite them to their office and behave rudely with them; claim that the information sought falls under the jurisdiction of other units or under some exempt category, etc. All these to avoid responding in writing.

At the same time, however, we discovered a few examples of positive attitude of DOs towards applicants. In some instances, the DOs sought further information from applicants themselves to pursue a wrongdoing or guidance to locate the desired information. In others, DOs would call the applicants to convey that the information was dispatched. Some would even praise applicants for using the law to improve governance.

It is indeed a mixed bag. Though the negative experiences clearly outnumber the positive ones, the latter indicate hope for the future. It is important, therefore, that the negative aspects are identified on an objective basis and redressed properly. Normally one would expect the Information Commission (IC) to deal with them. But unfortunately, our enquiries also revealed many complaints against the IC itself. This emphasises the need for the development of a close interaction mechanism between the IC and the civil society for promotion of RTI law in the country. And since there are clear dereliction of duties by many public officials, the overarching supervisory role of the Cabinet Division of the Prime Minister's Office over public bodies could be put to use for their amelioration.

Dr Shamsul Bari and Ruhi Naz are Chairman and Assistant Director (RTI), respectively, of Research Initiatives, Bangladesh, RIB. Email: rib@citech-bd.com