

EMPOWERMENT THROUGH INFORMATION

The Evolution of Transparency Regimes in South Asia

Volume II: Empirical Studies



Shamsul Bari Vikram K. Chand Shekhar Singh
Editors

TAG

Transparency Advisory Group

RIB

Research Initiatives, Bangladesh

EMPOWERMENT THROUGH INFORMATION

The Evolution of Transparency Regimes in South
Asia

Volume II: Empirical Studies

Shamsul Bari Vikram K. Chand Shekhar Singh
Editors

TAG

Transparency Advisory Group

RIB

Research Initiatives, Bangladesh

Published in 2015
by
Transparency Advisory Group (TAG)
C 17A Munirka
New Delhi 110067, India
<http://transparencyadvisorygroup.org/>

&
Research Initiatives, Bangladesh (RIB)
House: 104, Road: 25
Block: A, Banani
Dhaka-1213, Bangladesh
www.rib-bangladesh.org

Contacts: baris@citech-bd.com; vikchand@gmail.com; shekharsingh@gmail.com



This work is licensed under the Creative Commons Attribution-Non Commercial-Share Alike 4.0 International License. To view a copy of this license, visit:
<http://creativecommons.org/licenses/by-nc-sa/4.0/>.

Cover photograph from Bangladesh - *Dnet, one of Manusher Jonno Foundation's partner organizations, is implementing an RTI-based project titled "Developing an Enabling Environment for Application of RTI Act 2009 through Infolady Model" [DEAR Infolady]. The picture shows one Infolady talking about the RTI Act to a group in a courtyard meeting.*

Table of Contents

Study I: RTI BASELINE SURVEY FOR BANGLADESH - Nielsen, Bangladesh

Terms and Abbreviations	5
Executive Summary	6
1. Introduction	10
2. RTI and the Citizen: Views and Experiences	15
3. Focus Groups and Other Stakeholders: Views and Experiences	27
4. Responses to RTI applications: Testing the System	33
5. Designated Officers: Capacities, Attitudes, and Functioning	36
6. Recommendations	42
Annexure I – Demographics	46

Study II: Who Uses the RTI Act in India, and for What? - Right to information assessment and advocacy Group (RaaG) & Transparency Advisory Group (TAG)

Abbreviations and Glossary of Terms	51
Summary and Recommendations	52
1. INTRODUCTION	58
1.1 Background to the Study	58
1.2 Rationale for the Study	59
1.3 Specific Objectives	61
1.4 Methodology	63
2. FINDINGS	66
2.1 Problematic RTI Applications	66
2.2 Profile of the Applicants	80
2.3 Types of Information being asked for through the RTI Act	83
2.4 In What Form is Information Being Sought?	91
ANNEXURES	93

Picture Book

Pictures of RTI Related Activities in Bangladesh	125
Pictures of RTI Related Activities in India	128

RTI BASELINE SURVEY FOR BANGLADESH

Prepared by



The Nielsen Company (Bangladesh) Ltd.
Dhaka, Bangladesh

March, 2014

The Nielsen Company (Bangladesh Ltd.), House 70, Road 15A (new), Dhanmondi, Dhaka Phone 9125839, 9127743,
Fax 8123394

Email: anam.mahmud@nielsen.com; ashegul.islam@nielsen.com

March 2014
Dhaka, Bangladesh

Table of Contents

Terms and Abbreviations	5
Executive Summary	6
RTI and the Citizens	6
Focus Groups and Stakeholders	7
Responses to RTI applications	8
Designated Officers	8
Recommendations	9
1. Introduction	10
1.1 Objectives of the study.....	10
1.2 Methodology.....	10
1.2.1 Approach and sample.....	10
1.2.2 Questionnaires and Schedules	12
1.2.3 Nature of Information Sought.....	13
1.2.4 Secondary Sources of Information	13
1.3 Geographical coverage.....	13
1.4 Survey period	13
1.5 Profile of the respondents	14
1.6 Use of the RTI act in Bangladesh	14
2. RTI and the Citizen: Views and Experiences.....	15
2.1 common public issues	15
2.2 Awareness of the RTI act.....	16
2.3 Levels of awareness.....	16
2.4 Sources of information	18
2.5 Perception of the RTI act.....	20
2.6 Experience of seeking information without using the RTI act	20
2.7 Consequences of the implementation of the RTI act.....	21
2.8 Challenges to the proper implementation of the RTI act	23
2.9 Suggestions to improve the implementation of the RTI act	24
2.10 Usage and need for national ID card.....	25
3. Focus Groups and Other Stakeholders: Views and Experiences	27
3.1 Methodology	27

Focus Group Discussions:.....	27
In-depth Interviews:.....	27
Sample:	27
FGD Centres:	28
3.2 Awareness about the RTI act.....	28
3.3 Understanding the RTI	29
3.4 Benefits expected from RTI.....	31
3.5 Suggestions to improve the implementation of the RTI act	32
3.6 Reasons for not using the RTI act.....	32
4. Responses to RTI applications: Testing the System.....	33
4.1 Methodology	33
4.2 Findings	34
4.3 Discussion	35
5. Designated Officers: Capacities, Attitudes, and Functioning	36
5.1 Awareness of the RTI act.....	36
5.2 Sources of awareness.....	36
5.3 Training.....	36
5.4 Attitude towards being a designated officer	38
5.5 Functioning as a designated officer	39
Receiving RTI applications.....	39
Documentation of RTI Applications	39
Work Pressure.....	39
Motivation.....	39
Support Systems	40
5.6 Suggestions for increasing awareness of the RTI act	41
6. Recommendations	42
6.1 Raising awareness about the RTI act.....	42
6.2 Training and orientation of DOs	43
6.3 Making access to information easier	44
Annexure I – Demographics.....	46

Terms and Abbreviations

BBC	British Broadcasting Corporation
BPATC	Bangladesh Public Administration Training Center
CS	Can't say
DFID	Department for International Development (UK Government)
DK	Don't know
DO	Designated officers charged with processing RTI applications
FGD	Focus Group Discussions
GOB	Government of Bangladesh
LGED	Local Government and Engineering Department
<i>Mohallas</i>	Urban localities
<i>Mouzas</i>	Rural administrative unit
PPS	Probability Proportional-to-size Sampling
RTI	Right to Information
UNICEF	United Nation's International Children's Emergency Fund
<i>Upazila</i>	Sub-districts
USAID	United States Agency for International Development
WB	The World Bank
WHO	World Health Organization

Executive Summary

As part of an effort to promote a transparent and accountable system of governance, with strong participation from the people, the Right to Information (RTI) Act came into effect in Bangladesh in 2009. As this much-talked-about law has been in force for nearly four years, it was thought that a comprehensive assessment of how the Act is being received by the various stake holders and how it is functioning in the country, would be useful and would help in identifying any correctives that might be required.

Towards this end, The World Bank commissioned Nielsen Bangladesh to study the functioning of the RTI Act in Bangladesh. The findings of this study are presented in this report.

Chapter 1 introduces the assessment, describing its objectives, methodology and coverage.

Chapter 2 discusses the perceptions and experiences of the citizens, as determined through individual interviews. Specifically, citizens were asked how important they thought access to information was, what types of information they would like to access, what use it would be, what changes would likely result from an effective exercise of the right to information, and what problems they have had in accessing information without using the RTI Act. They were also asked whether they knew of the RTI Act and, if so, how they learnt about it and what suggestions they have for making the RTI Act more effective.

Chapter 3 discusses the findings emerging from focus group discussions (FGDs) and in-depth interviews with other stake holders. Specifically, the usefulness of the information sought, awareness of the law, what possibilities it has, and what the challenges are, were discussed at the FGDs.

Chapter 4 analyses the response of the government to RTI applications, based on the tracking of RTI applications filed by the research team. It reports on how many of the designated officers (DOs) responded, how many responded in time, and how many provided the information asked for.

Chapter 5 discusses the attitudes, capacities and functioning of designated officers, based on interviews with them.

Chapter 6 contains some recommendations, primarily aimed at creating awareness of the Act among the people, encouraging its use to access information relevant to their needs, and improving the functioning of the DOs and the government.

RTI and the Citizens

A total of 2,628 citizens were interviewed for this study. None of these respondents had used the RTI Act for accessing information. When they were asked whether access to relevant information, relating to the problems they faced, could help them solve these problems, a majority (73%) thought so. What this established was that even those who had not yet used the RTI Act recognised that access to information would help in resolving individual and societal problems. This recognition provides a basic rationale for enacting transparency laws.

Another point that emerged from these interviews was that though people knew that most of the information needed to resolve the problems they faced was with the government, there was a feeling that it took too long to access information from the government in the normal course. This was perhaps the reason why the study found that most people were not interested in approaching the

government for information. However, after hearing about the RTI Act, and learning that under its provisions designated officers are required to provide the requested information within a period of 20 days, people felt that several problems—related to jobs (12.1%), the education sector (7.8%), the agriculture sector (5.8%), etc.—could now be resolved by using the RTI Act.

However, a majority of the people interviewed (77%), had not heard of the RTI Act. Of the twenty three percent that were aware of its existence, less than one-fifth said that they were well-informed about it, a majority (68%) claiming they had only partial knowledge of it, and the remaining said they merely knew that an Act by this name existed. This low degree of awareness of the Act among the public underlines the need for effective initiatives to raise awareness.

When those who were aware of the RTI Act were asked how they became aware of it, most stated that they learnt about it from “personal or private” sources; only one-fifth (21%) said that their knowledge of it resulted from campaigns and discussions aimed at creating awareness.

When asked about the challenges that the RTI Act faced, some of the constraints identified by the citizens included bureaucratic hurdles (17.3%), lack of a positive attitude to help people with information (13.4%), and fear of being exposed (13.1%).

Focus Groups and Stakeholders

A total of fourteen focus group discussions (FGDs), each with 8-12 participants, were conducted across the country. In addition, in-depth interviews were conducted with thirty selected stakeholders including like NGO functionaries, and opinion leaders like teachers and journalists.

A majority of the participants in the FDGs had not heard of the RTI Act, and a few had only perfunctory knowledge of it.

Some of the participants stated that they had received SMSs on the mobile phone regarding the right to information. However, they treated these as undesirable bulk messages sent by telecom operators and other organizations, and generally ignored them, or deleted them altogether.

Participants, across groups, said that they often required information on health services, agricultural affairs, local union related issues, the law and legal affairs, utility services, etc. However, they had no idea of the RTI Act or the appointment of designated officers for providing information.

Participants in the discussions were of the opinion that corruption would be largely reduced if there was a procedure to avail information whereby every action taken by government officials would be accounted for. This would make government bodies more careful and responsible while dealing with government assets.

They also felt that the government should have the political will to properly implement this Act. Latest technologies should be adopted to ensure easy access to all information. Network access needs to be user friendly and uncomplicated. There needs to be a strong backup for information storage. Moreover, applicants should be served by skilled designated officers and penal action needs to be taken against irresponsible officers. If these measures are implemented, more and more people will use this Act for seeking information, and thus government officers and staff will be under pressure, and government red tape will be reduced.

Responses to RTI applications

In order to understand what a person experiences as an information seeker under the RTI Act, the research team filed RTI applications with 82 designated officers (DOs) from the *upazila* level to the ministry level.

Only seventeen percent of the DOs responded to the RTI requests. Of these, in most cases (82%), the RTI officers did not respond within the stipulated time period of 20 days. Among the responses, the following were the most common:

- The DO wanted to know the reason for seeking information
- The DO could provide the contact number, not the list (the information sought was a list of people who had filed RTI applications with their office, and their contact numbers)
- The DO expressed inability to supply information since it was personal in nature
- The applicant was requested to contact the DO later
- The DO would provide the information on receiving the processing fee
- Information sought was provided

One RTI application was posted to the wrong address, so the DO did not receive it.

Designated Officers

The designated officers (DOs) are critical for the proper functioning of the RTI Act, 2009. They are the functionaries who receive the RTI applications and process them, and the successful implementation of the Act assumes that they have a thorough knowledge of the Act, are effectively trained on how to service requests, and have a positive attitude towards the RTI. In order to judge the attitudes, capacity, and functioning of the DOs, a sample of 507 DOs from government offices across the country were interviewed as a part of this study.

It was found that slightly more than one half of them (54%) had knowledge of the RTI Act and another 40% 'only somewhat' knew of it. Most of the respondents became aware of the RTI Act from newspapers (72%). Other sources of information about it were: government memorandum (47%), training (23%), colleagues (20%), TV (16%), and SMSs on the mobile phone (8%).

Only about one-fourth of the designated officers (28%) received training on RTI, and a majority of the DOs are yet to be trained. Most of those who had attended training programmes said that it was useful to them, underlying the effectiveness and necessity of the training process.

Surprisingly, 96% mentioned that they had so far not received any RTI application. Those who had received applications said that they had received, on an average, 4 RTI applications since they had been appointed designated officers.

A majority of the respondents (88%) did not have a system for keeping a record of the RTI applications received and their subsequent processing, including dates of receipt, information provided, dates when provided, number of applications denied information, and reasons for denial.

The responsibility of a DO to deal with RTI applications is an additional duty. They therefore need to be motivated to work as DOs. When asked what motivated them to perform as DOs, three-fourth of the respondents (74%) felt that this work helps them get recognition from their supervisors. As a result, it also helps to assure an improved career track (28%) and provides the opportunity for getting trained (10%).

While giving suggestions for improvement in the implementation of the RTI Act, almost half of the respondents thought that it needed to receive coverage on TV (48%). Other responses were that training needed to be arranged to increase awareness (42%), mass awareness and promotion should be done (17%), and that details of the RTI Act should be aired on the radio (11%).

Recommendations

As a result of the overall findings and insights gained through this study, important recommendations have been highlighted at the end of this report. Among the major recommendations is that awareness of the Act needs to be increased among the people along with highlighting its usefulness in accessing information that can help solve their problems—personal and societal. Campaigns and public awareness drives focussed on creating awareness and improving the knowledge of the people about the RTI Act need to be taken up on a countrywide level. Another important recommendation is that the role of an official as a DO should be evaluated in the performance report of the officer, if not already done. This will motivate the DOs to work seriously in serving RTI applications and making RTI popular among the common people.

Also, DOs need to attend training programmes, seminars, and workshops every month in order to serve the Act well. RTI application forms should be easily available to the people in all government offices. Additionally, there should be display boards for visitors with information of designated officers and clear instructions detailing the procedure for applying for information.

Availability of a citizens' charter will help people know about the activities of the office, because sometimes it is very challenging for visitors to find the DO in an office.

Effective motivational programs could be arranged for the DOs to build enthusiasm and optimism at work, which will work as a driving force for them for effective implementation of the RTI Act. Similarly, designated officers should also be encouraged to respond to RTI requests within the shortest possible time.

1. Introduction

As part of establishing a transparency regime, the Right to Information (RTI) Act came into effect in Bangladesh in 2009. As the Act has been in force for nearly four years now, it was considered desirable to carry out a comprehensive assessment, on a countrywide level, in order to determine how the Act is functioning and how it is being received and operated by the citizens, the government, and by some of the other stake holders.

1.1 Objectives of the study

Following were the objectives of this study:

- To provide an empirical baseline of information needs and experiences of the people, and the awareness, implementation and use of the RTI Act in Bangladesh, that is relevant for policy makers and RTI activists for future use
- To identify the challenges in the implementation of the RTI Act
- To analyze both quantitative and qualitative data and formulate recommendations to strengthen the implementation of the RTI Act in Bangladesh

1.2 Methodology

The current study was both quantitative and qualitative in nature. The methodology used for this study is based on the methodology developed by the Right-to-information Assessment and Advocacy Group (RaaG) for their “people’s RTI Assessment” in India. The schedules used in this study have also been adapted from the RaaG study (<http://www.rti-assessment.com/home.html>).

1.2.1 Approach and sample

The baseline survey followed a standard approach, conducting a general survey among the citizens. Both quantitative and qualitative methods were used to collect data for the initial baseline and the subsequent follow-up studies. These included a survey of a sample of citizens above the age of 18, and of a sample of designated officers (DOs) from among those whose details are available on the site of the Bangladesh Information Commission (<http://www.infocom.gov.bd>). The surveys were carried out through individual interviews with citizens and with DOs, and through Focus Group Discussions with citizens. There were also in-depth interviews with relevant members of stakeholder groups such as NGO officials, and other opinion leaders such as teachers, journalists, successful professionals, etc.

Selection Procedure for Sample Individuals

Individual members of a sample were selected through a systematic process of random sampling, separately for both urban and rural locations, from each Primary Sampling Unit (PSU). *Mouzas* in the rural areas and *mohallahs* in the urban areas were treated as PSUs. Ninety Five (95) PSUs were selected randomly following the PPS method from the list of *mouzas/mohallas* prepared by Bangladesh Bureau of Statistics (BBS). From each PSU, approximately 30 respondents were selected randomly to achieve the desired sample size.

Figure 1.2.1a: Sample size for interviews of individual citizen: distribution according to administrative divisions and across the urban/rural divide

NUMBER OF INDIVIDUALS INTERVIEWED			
Administrative Division	Division wise sample	Sample size for urban areas	Sample size for rural areas
Barisal	174	52	122
Chittagong	632	252	292
Dhaka	838	672	166
Khulna	164	50	114
Rajshahi	256	80	176
Sylhet	334	100	234
Rangpur	318	96	222
Total	2628	1302	1,326

Each PSU was divided into 2–3 segments, depending on the size of its population. From these, one segment was selected randomly. The randomly selected segment was then separated by 5-6 starting points for ease of operation and allocation of jobs among the interviewers. Each interviewer then started work from these ‘starting points’. Every alternate household was selected to achieve the required number of sample households allocated for a PSU. One interview was conducted in each selected household. If one household had more than one eligible respondent, then any one of them was selected randomly and interviewed.

Figure 1.2.1b: Sample Size, Target Group, and Coverage

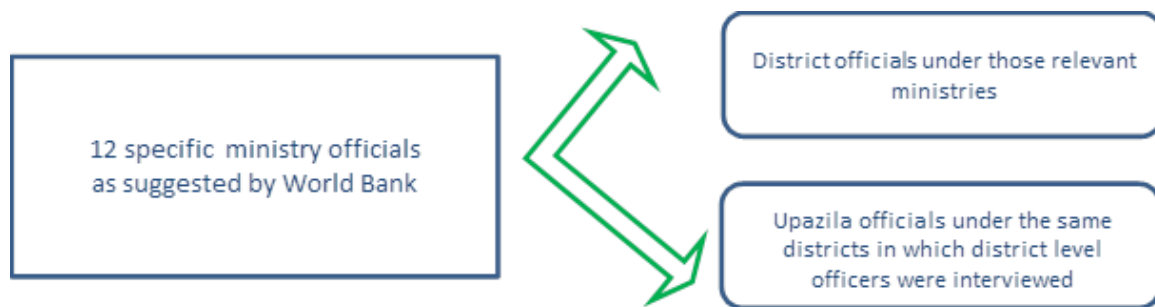
Type	Sample size	Target Group	Area
Quantitative	2628	Citizens who did not file RTI applications	Across the country
Quantitative	507	Designated Officers	Across the country
Qualitative (in-depth interviews)	30	Relevant stakeholders like NGOs, and opinion leaders including teachers and journalists	Across the country
Qualitative (Focus Group Discussions/ Open Discussions)	14	Citizens (7 in rural areas, 7 in urban areas)	Across the country

Selection Procedure for Designated Officers

Using simple random sampling, a total of 507 designated officers (DOs) were interviewed from across the country. These were selected from the list of DOs responsible for the RTI Act at the ministry, district and upazila levels, available on the website of Bangladesh Information Commission.

Ministry officials were selected only from the capital city of Dhaka, as all the ministries are located in Dhaka. The ministry officials interviewed were from the 12 ministries suggested by The World Bank. DOs from two districts were selected from each of the seven divisions of the country. Upazila level officers were selected from those districts where districts level officers were interviewed. District and upazila level officers were selected only from those offices which fell under the 12 specified ministries.

Empowerment Through Information - II



The list of the ministries suggested by The World Bank is given below:

Ministries
Ministry of Education
Ministry of Health and Family Welfare
Ministry of Land
Ministry of Agriculture
Ministry of Communications
Ministry of Information
Ministry of Women and Children Affairs
Ministry of Food and Disaster Management
Ministry of Finance
Ministry of Social Welfare
Ministry of Fisheries and Livestock
Local Government and Engineering Department

Selection of Respondents for In-depth Interviews

In-depth interviews with relevant stakeholders were conducted across the country. These stakeholders included NGO officials and opinion leaders such as teachers, journalists, users of RTI services, etc. Experts whose interviews were taken were selected based on convenient sampling.

1.2.2 Questionnaires and Schedules

Five questionnaires and schedules were used for conducting both quantitative and qualitative surveys and interviews, and for conducting discussions.¹

.One questionnaire was for interviewing those citizens who had not filed an RTI application (Questionnaire I). The second questionnaire was for interviewing those citizens who had filed an RTI application (Questionnaire II) – though finally the data collected through this questionnaire was not used, as there were very few respondents. The third was for interviewing designated officers (Questionnaire -III), the fourth for the conduct of focus group discussions (Questionnaire -IV), and the fifth for in depth interviews with selected stakeholders (Questionnaire -V).

¹ copies of questionnaires I-V at:

http://transparencyadvisorygroup.org/uploads/Bangladesh_Nielsen_Survey_Questionnaires_2013-14.pdf

1.2.3 Nature of Information Sought

From Citizens and other Stakeholders

- A. Background Data (name, location, gender, occupation, level of study, income level, whether beneficiary of any safety net program)
- B. Need for seeking information from government sources
- C. Experience of seeking information from government sources
- D. Awareness about the RTI Act
- E. Awareness about the RTI application process
- F. Perceptions about the RTI Act
- G. Respondents' suggestions regarding the RTI Act

From Designated Officers

- A. Background Data (designation, name of authority, location)
- B. Awareness about the RTI Act
- C. Training on RTI
- D. Experience of handling RTI applications
- E. Perceptions about their being appointed DOs
- F. Suggestions regarding the RTI Act

1.2.4 Secondary Sources of Information

Among the existing studies on RTI, the ones that provide empirical data are the Annual Report (2010) published by the Information Commission and the survey conducted by *Manusher Jonno Foundation*. The Information Commission collected the data provided in the Annual Report directly from the offices of the District Commissioners.

The MJF Survey (2011) was outsourced to two researchers from D Net and TIB, who surveyed 1,019 citizens and 216 government and non-government organizations. The survey probed experiences of citizens who used RTI to obtain information, their level of awareness, and challenges faced in getting information. It covered a few ministries that have direct service delivery functions such as Health, Local Government and District Administration to assess their readiness in terms of status of appointment of designated officers and their capacity to provide information, although it did not have designated officers as respondents. The study came up with six key recommendations, including the need for raising awareness, better record management, alternative means for providing information, and clear definition of the functions of the Information Commission and associated government agencies.

1.3 Geographical coverage

Study areas chosen were from across the country and in selected districts of seven divisions.

1.4 Survey period

The survey was carried out from May 2012 to September 2012.

1.5 Profile of the respondents

Interviews were conducted with 2628 citizens across the country, using a detailed questionnaire², the results of which are reported in chapter 2. As a part of the interview, information was collected on the educational level of the head of the household, and occupation of the main wage earner in the family, and the age of the respondent (details at Annexure I, tables AI-1, AI-2, and AI-3). Interestingly, a significant proportion of the respondents (14.2%) were from households where the head of the household was illiterate, and overall nearly sixty percent (58.8%) had not even passed school. Only fifteen percent were graduates or above.

Nearly half (41%) of the wage earners in the sample households were workers, half of them unskilled and another half skilled.

More than half (57.9%) of the respondents were between the ages of 21 and 40 years.

1.6 Use of the RTI act in Bangladesh

Some secondary sources suggested that within two years of the RTI Act coming into force in Bangladesh, about 25,000 RTI requests had been filed, out of which 75 were denied or kept pending, and appeals were filed in five cases (from the Annual Report of the Bangladesh Information Commission, 2010).

The combined figures for 2010 and 2011 (Information Commission's Annual Report of 2010 and 2011), suggested that the total number of RTI requests submitted in 2010 and 2011 were 33,218. However, according to the May 15, 2012 issue of the country's leading Bangla daily, *Prothom Alo*, (<http://www.eprothomalo.com/index.php?opt=view&page=1&date=2012-05-15>), the actual figures were much lower. The reasons for this discrepancy, as stated by the newspaper, were that many of the applications that were thought to be RTI applications did not actually fall under the RTI Act; also, some officials of the Information Commission 'exaggerated the number in order to show their performance'.

As already mentioned, while conducting this study very few RTI applicants could be located, suggesting that perhaps the figures of RTI applications filed were exaggerated.

² Ibid. - Questionnaire -I

2. RTI and the Citizen: Views and Experiences

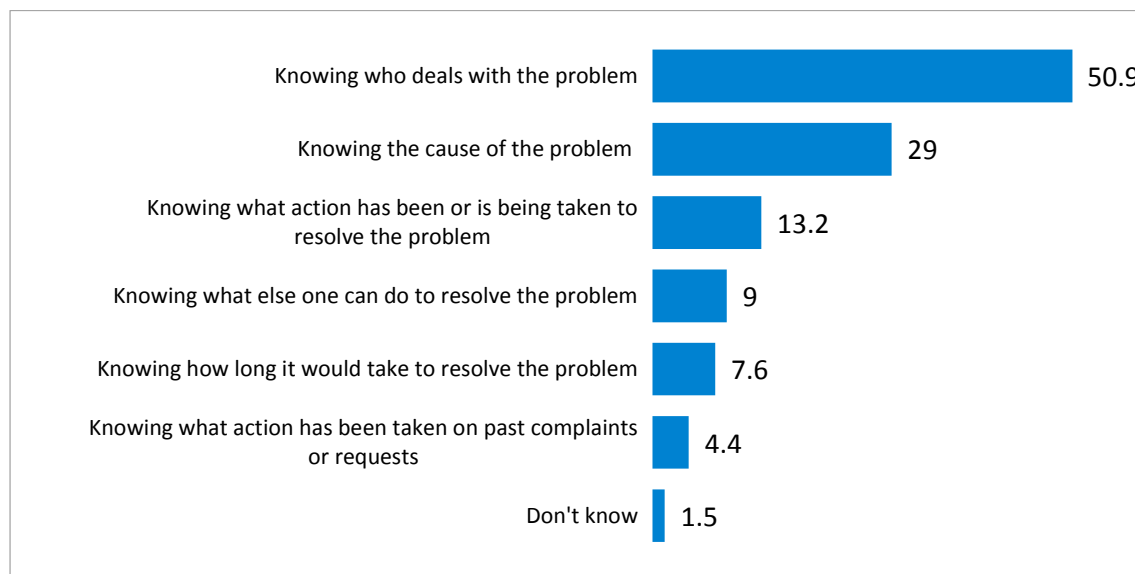
As part of the study, researchers interviewed 2,628 citizens across the country, both in urban and rural areas, using a prepared questionnaire.³ Described below are some of the main issues that emerged.

2.1 common public issues

In order to understand the context within which the RTI Act has to function in Bangladesh, an effort was made to determine, through interviews of individuals, what the citizens of Bangladesh thought were the major governance related problems they faced. Electricity related problems (76.9%), poor road connectivity (53.8%), shortage of drinking water (43%), poverty (27.9%), and unemployment (27.2%) were identified as the most significant of the problems requiring government assistance.

Most of the people interviewed (73%) were of the opinion that availability of relevant information could help resolve several of the problems they routinely faced. One-half of them (50.9%) felt that the most important thing was to get to know who deals with the problem they were facing, and nearly a third of the people (29%) thought it was critical to know the cause of the problem.

Figure 2.1a: Public opinion about types of information that can help resolve problems (%)



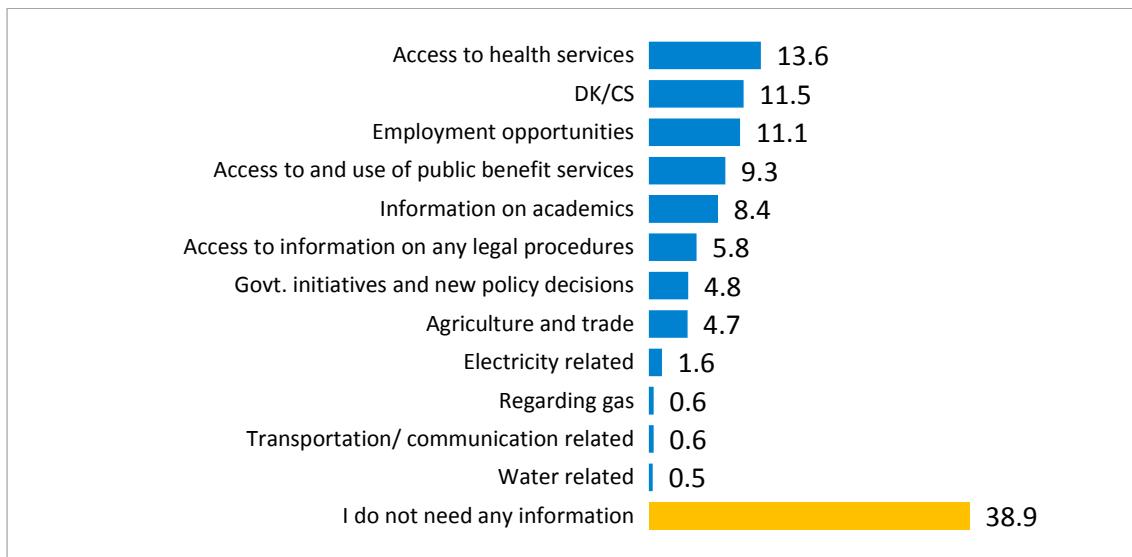
**Base: 1928 (Those who think that access to information could resolve their problems)*

The fact that nearly three fourths of the people interviewed recognized that access to information would help them resolve their governance related problems, was a significant endorsement of the thinking behind the introduction of the RTI Act.

In general, about half of the respondents could identify an issue or an area for which they would like to access some information, not necessarily related to solving a specific problem. Most commonly, people wanted information about access to health services (13.6%) and employment opportunities (11.1%).

³ Ibid Questionnaire -I

Figure 2.1b: Major areas in which information is required by the public from the government (%)



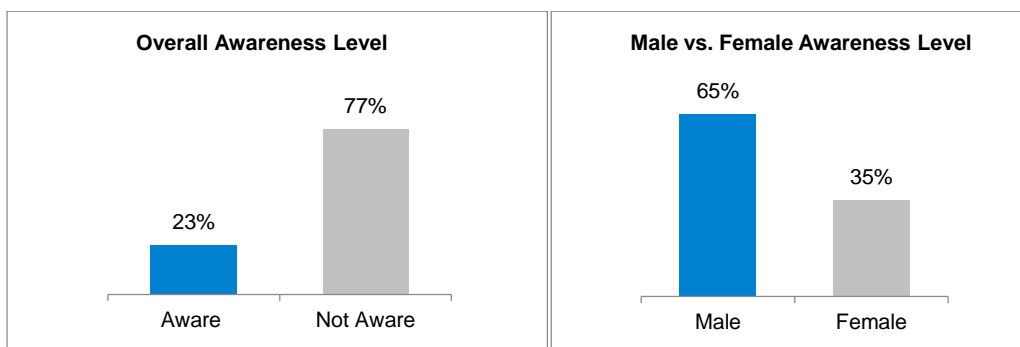
**Base: 2628 (All respondents); DK – don't know/CS – can't say*

2.2 Awareness of the RTI act

A major challenge that most laws face is how to make people aware of the existence and provisions of the law, how to demonstrate that laws like the RTI Act are relevant for their welfare and for governance in general, and how to help people learn the ways in which they can effectively use this law. This is especially critical about transparency laws as they are primarily for use by the public.

In order to determine how many people were informed about the RTI Act, and how well, an assessment was made about their level of awareness. It was found that a majority of the people (77%) were not aware of the Act. Sadly, awareness was significantly lower among the women, compared to the men.

Figure 2.2: Awareness of the RTI Act

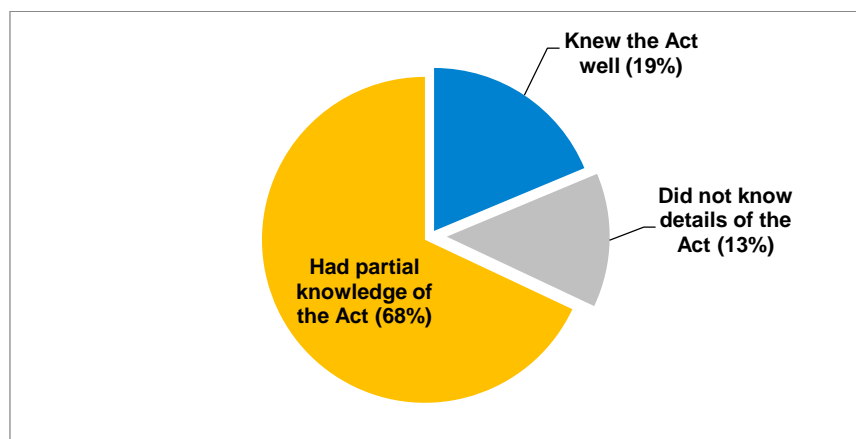


**Base: 2628 (All respondents)*

2.3 Levels of awareness

Though a majority of the people were not aware of the RTI Act, among those (23%) who were aware of the Act, a majority (68%) claimed that they had only perfunctory knowledge of it. Only 19% knew the details of the RTI Act well (Figure 2.3a).

Figure 2.3a: Respondents' level of knowledge of the RTI Act

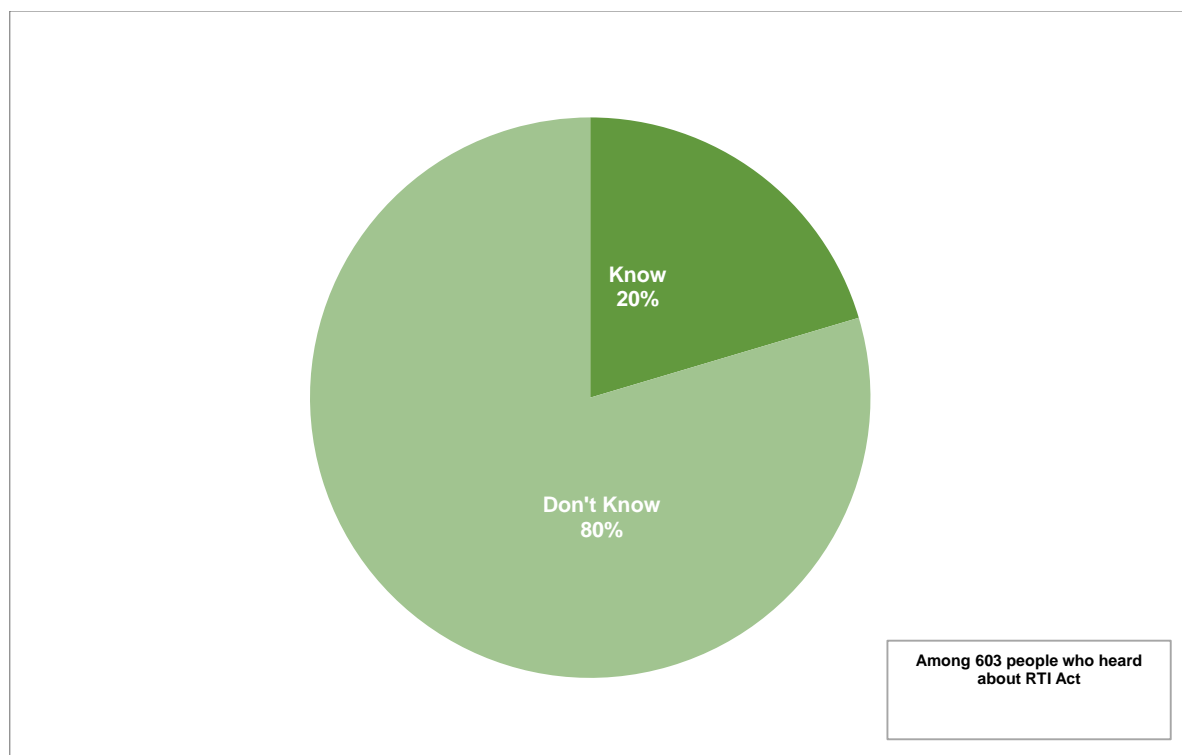


**Base: 603 (Those who are aware of the RTI Act)*

Though public awareness about most laws has often been seen to be low, considering the RTI law is one of those rare laws that empowers the citizen over the government, it is critical for its success that more and more people learn about it, its significance, and how to use it.

As already stated, nearly one-fourth (23%) of the respondents, even though they had never filed RTI applications, claimed to know about the RTI Act, or had at least heard of it. Of these, 80% did not know the stipulated period within which it was required to provide information, as per the provisions of the Act (Figure 2.3b).

Figure 2.3b: Percentage of people who know the timeframe for providing information – [Among those who have heard about the RTI Act]

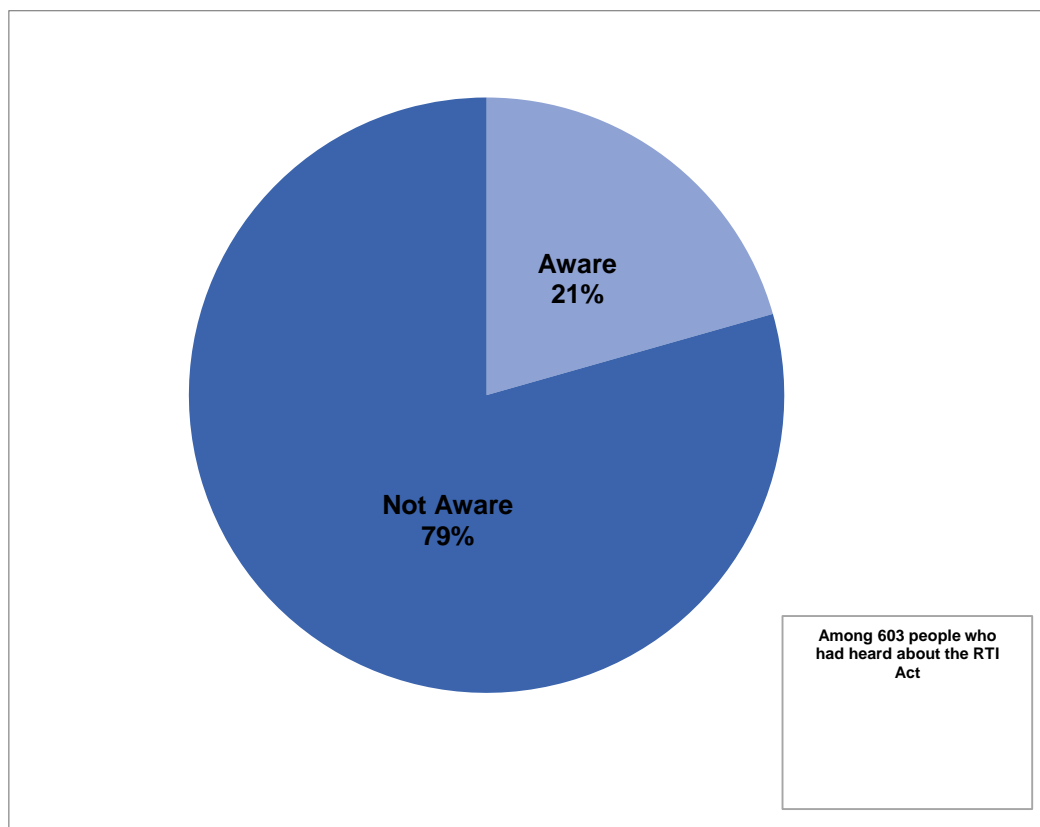


**Base: 603 (Those who are aware of the RTI Act)*

2.4 Sources of information

People who knew about the RTI Act were further questioned about the source from which they learnt about it. While 79% reported that they were not aware of any campaign or discussion related to the RTI Act organised by NGOs, the media, or anyone else, a fifth of the respondents (21%), from among those who had heard of the Act, were aware of such campaigns and discussions (Figure 2.4a).

Figure 2.4a: Awareness of campaigns/discussions on the RTI Act



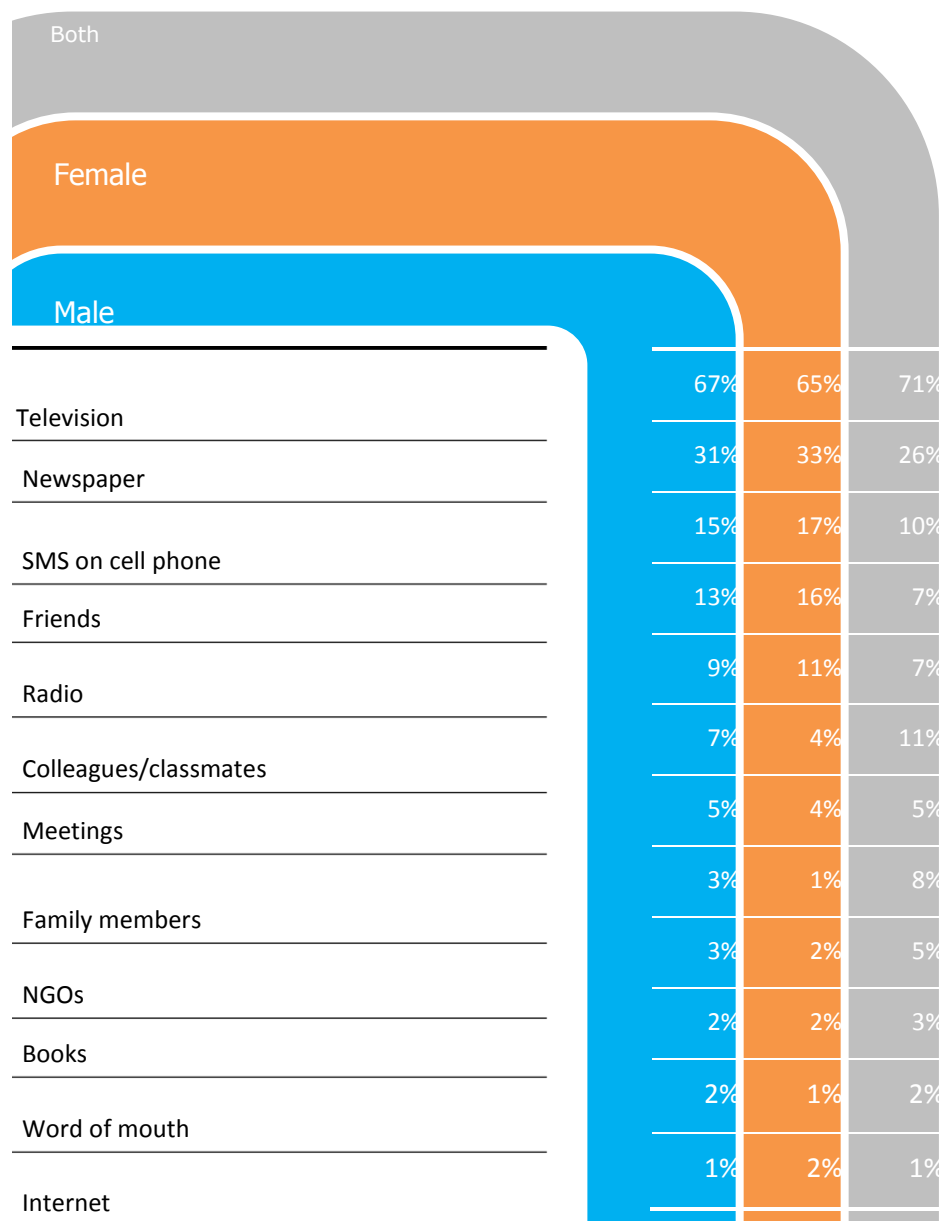
**Base: 603 (Those who are aware of the RTI Act)*

Among those aware of the RTI Act, the major sources of awareness were mass media like television (71%), newspapers (26%), and the radio 7% (Figure 2.4b). This is an indicator that word-of-mouth, family, relatives, acquaintances, and neighbours rarely contribute to making people aware of the Act.

Citizens were asked to give their perception on what they thought of the RTI Act. Even those who were not aware of the RTI Act (nearly three fourths of those interviewed) were asked this question after the interviewers had explained the main provisions of the RTI Act to them and read out important sections.

A very large proportion (96.1%) of those interviewed thought that the RTI Act was good and that it would contribute positively and make a difference to society (Figure 2.5a). However, a small percentage of people were pessimistic about the effectiveness and contribution of the RTI Act. Some (2.8%) thought it would not make any difference at all.

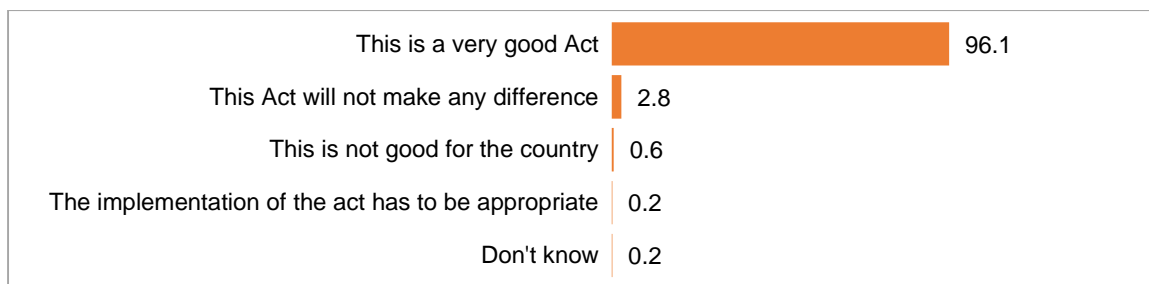
Figure 2.4b: Sources from which people learned of the RTI Act (Among those who are aware of the RTI Act:



Base: 603 (Those who are aware of the RTI Act)

2.5 Perception of the RTI act

Figure 2.5a: People's Perception about the RTI Act (%)

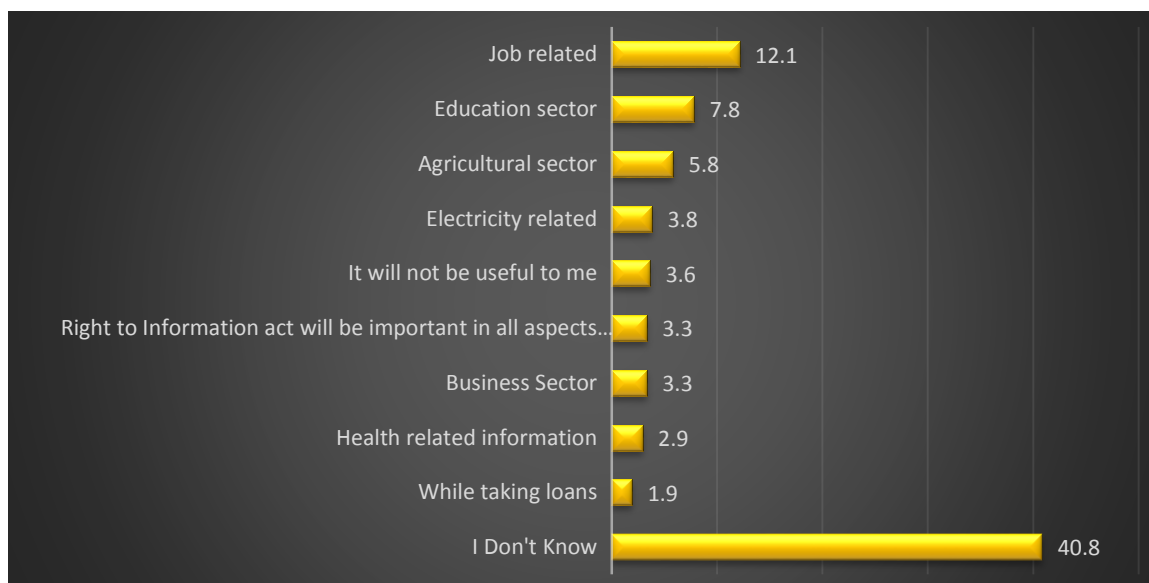


**Base: 2628 (All respondents)*

Awareness of any law is a pre-condition to its effective implementation. This is all the more so for laws like the RTI Act, which are designed for use by citizens to seek government accountability and redress their own grievances. This was obvious from the fact that though a majority (77%) of the people interviewed admitted that they were not aware of the RTI Act, after learning of its provisions, many felt that it could help solve different problems (Figure 2.5b), e.g., job related problems (12.1%), problems related to the education sector (7.8%), the agriculture sector (5.8%), and problems related to electricity, business and health services, and also while seeking loans for various purposes.

A significant number though (40.8%), didn't know whether or not the Act could help resolve problems.

Figure 2.5b: Problems that could be solved through the RTI Act (%)



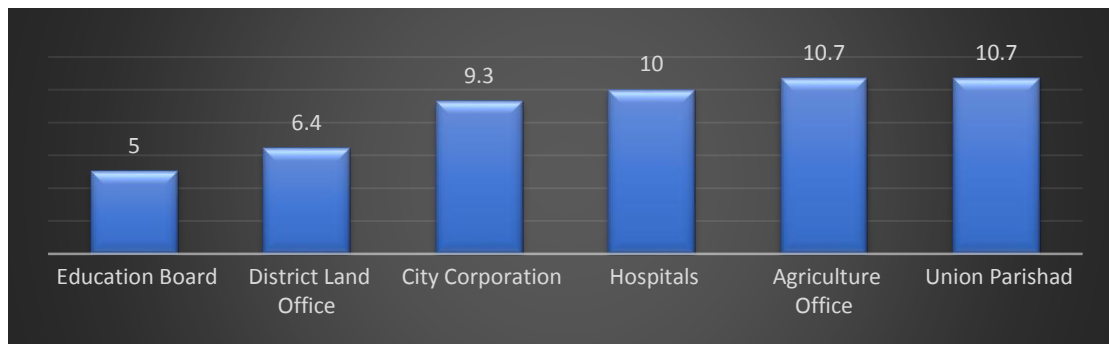
**Base: 2628 (All respondents)*

2.6 Experience of seeking information without using the RTI act

A small percentage of the people interviewed (5%) had tried to access information from the government and other agencies, without using the RTI Act.

Of the various government organizations and other sources, people mostly sought information from Union Parishad (10.7%), agriculture offices (10.7%), hospitals (10%), city corporations (9.3%) and district land offices (6.4%).

Figure 2.6a: Most common government offices/other agencies from where people sought information (%) [Without using the RTI Act]

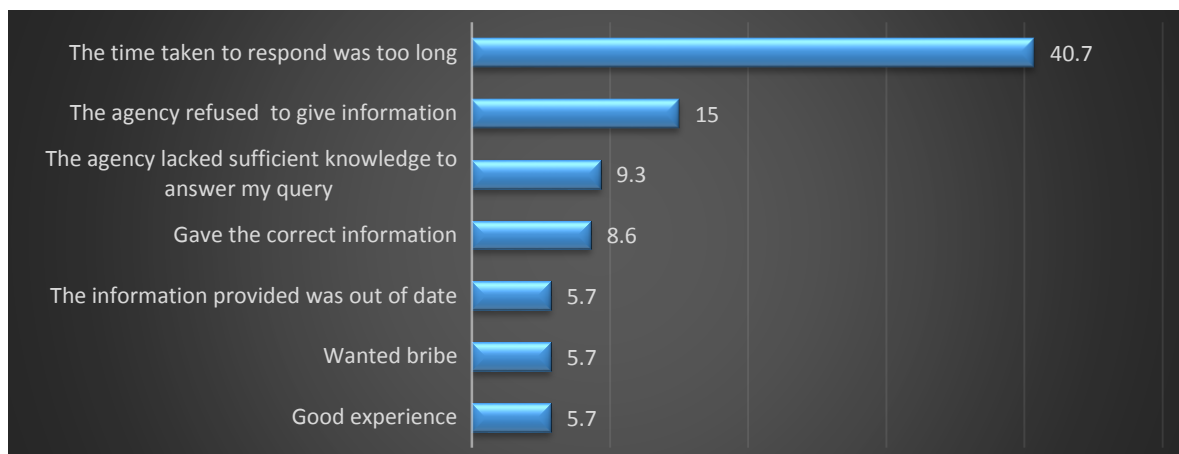


**Base: 140 (Those who responded 'Yes' in Q5a)*

Citizens see government organizations as essential sources of information because of the vast amount of information they hold. However, even when information sought was urgently required, some people experienced unnecessary delays in accessing it from government organizations.

Among those who had tried to seek information from government organizations and other sources, many (40.7%) were of the opinion that delay in providing information on the part of the concerned government official was the area that needed most attention (Figure 2.6b). Refusal to provide information (15%) and the "lack of sufficient knowledge" with the concerned agency to answer the query (9.3%) were two other areas needing attention, if access to information by citizens was to be facilitated.

Figure 2.6b: People's experience of collecting information (%) [Without using the RTI Act]

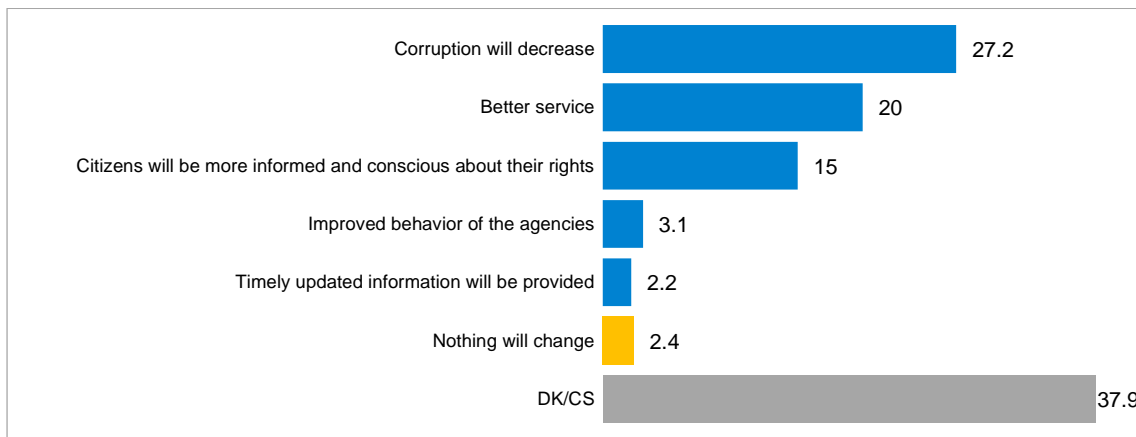


**Base: 140 (Those who tried to access information from government/other agencies)*

2.7 Consequences of the implementation of the RTI act

Citizens were asked what they thought would be the consequences of implementing the RTI Act in Bangladesh. More than a third (37.9%) of the people interviewed were unsure about the consequences (Figure 2.7a). Nearly a third (27.2%) thought that corruption would decrease. A significant proportion (20%) believed that services would improve, or that citizens would be more informed and conscious of their rights (15%), Surprisingly, only 3.1% of the respondents that that the implementation of the RTI Act would improve the behaviour of the various government agencies! And then there were the sceptics (2.4%) who thought that nothing would change.

Figure 2.7a: Major possible impacts of the implementation of the RTI Act (%)



**Base: 2628 (All respondents)*

When asked how, in their opinion, the RTI Act could help bring down corruption, many (39.6%) thought that increased awareness among the people about their rights would reduce corruption. A third (33%) also thought that the RTI Act would bring about greater accountability of institutions, thereby reducing corruption (Figure 2.7b).

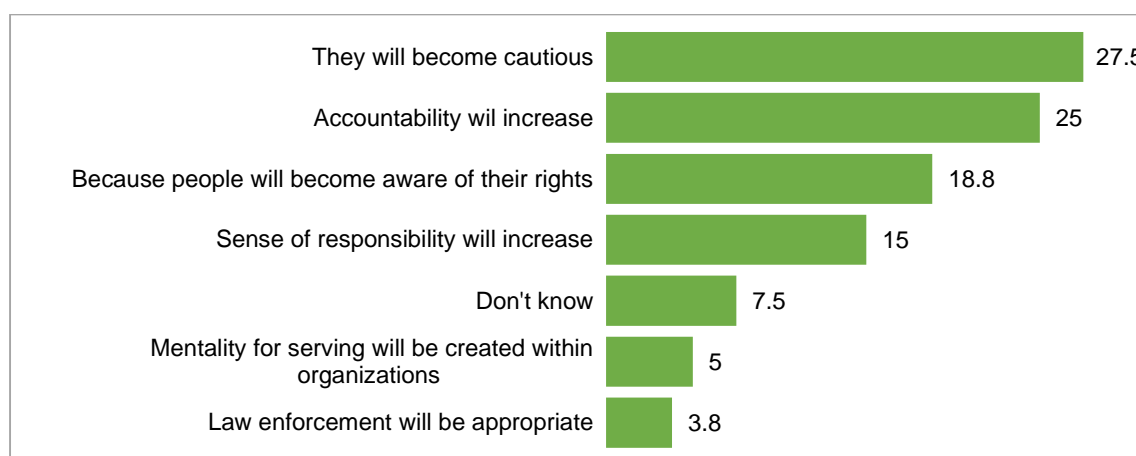
Figure 2.7b: How corruption could decrease with the implementation of the RTI Act (%)



**Base: 712 (Only those who responded in 'corruption will decrease')*

Some people also believed that the behavior of agencies would improve as a result of the implementation of the RTI Act (Figure 2.7c). Many among them (27.5%) thought that agencies would become cautious in their functioning because they would have to share information and be transparent. Others (25%) believed that the agencies would become more accountable. There was also an opinion (15%) that the RTI Act would help improve the sense of responsibility within the agencies and that could improve the behaviour of the agencies.

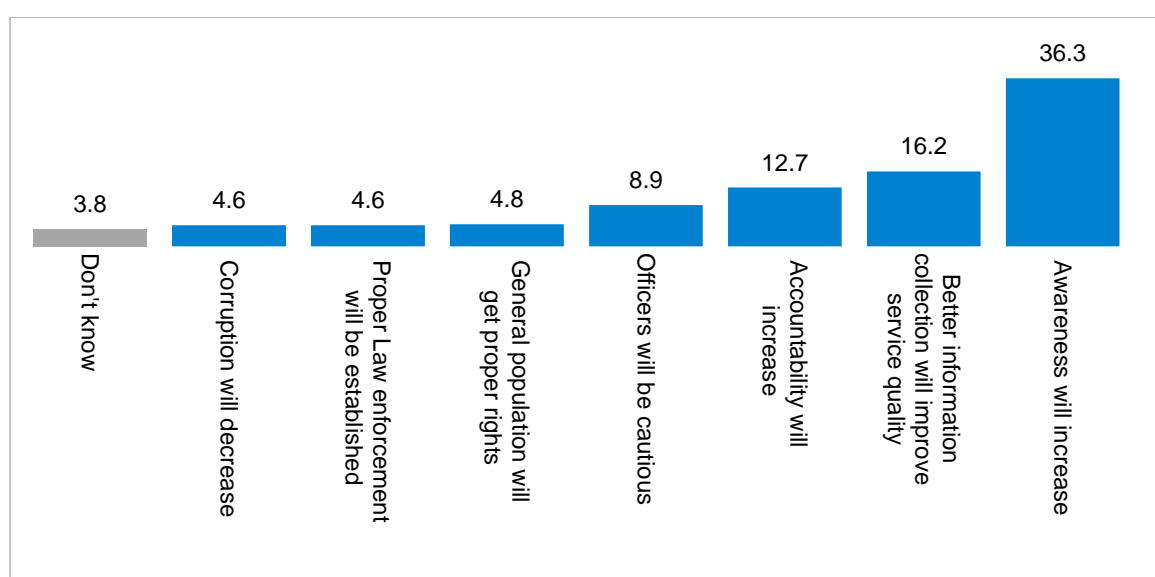
Figure 2.7c: Possible ways/reasons agencies will improve with the implementation of RTI Act (%)



**Base: 80 (Only those who responded in 'Improved behaviour of the agencies')*

Many of the people interviewed (20%) also felt that the implementation of the RTI Act would improve service delivery by the government and other concerned agencies. This would, according to them, happen (Figure 2.7d) mainly because of increasing awareness (36.3%), and improving accountability (12.7%).

Figure 2.7d: Possible reasons for better service with the implementation of the RTI Act (%)

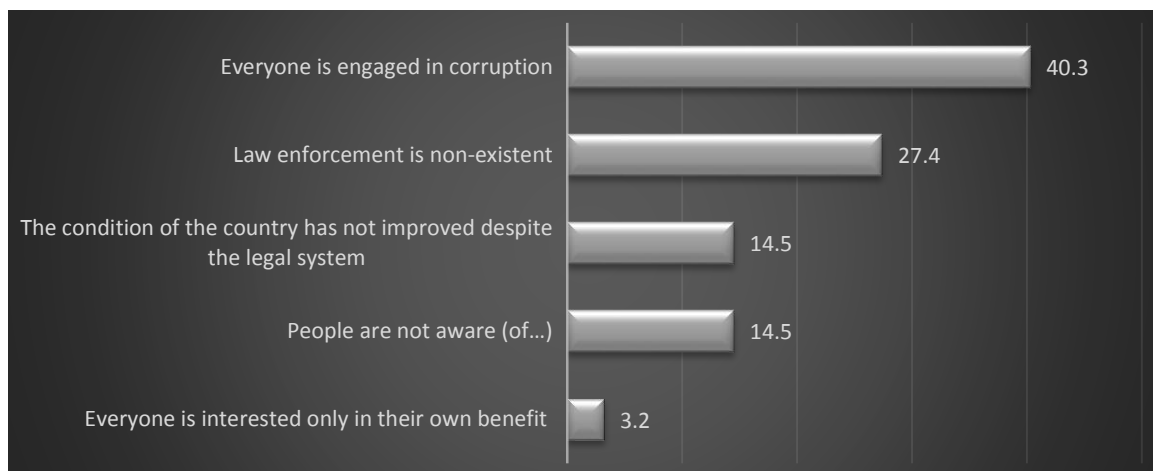


**Base: 526 (Only those who responded in 'Better service')*

2.8 Challenges to the proper implementation of the RTI act

As mentioned above (Figure 2.7a), there were at least some among those interviewed who were skeptical about the RTI Act changing anything at all. They were asked why they had such a low expectation from the RTI Act (Figure 2.8a). A large proportion (40.3%) thought that as corruption was rampant, there was little chance of the RTI Act succeeding. A smaller but significant proportion (27.4%) thought that as law enforcement in general was non-existent, there was little reason to believe that the RTI law would be enforced.

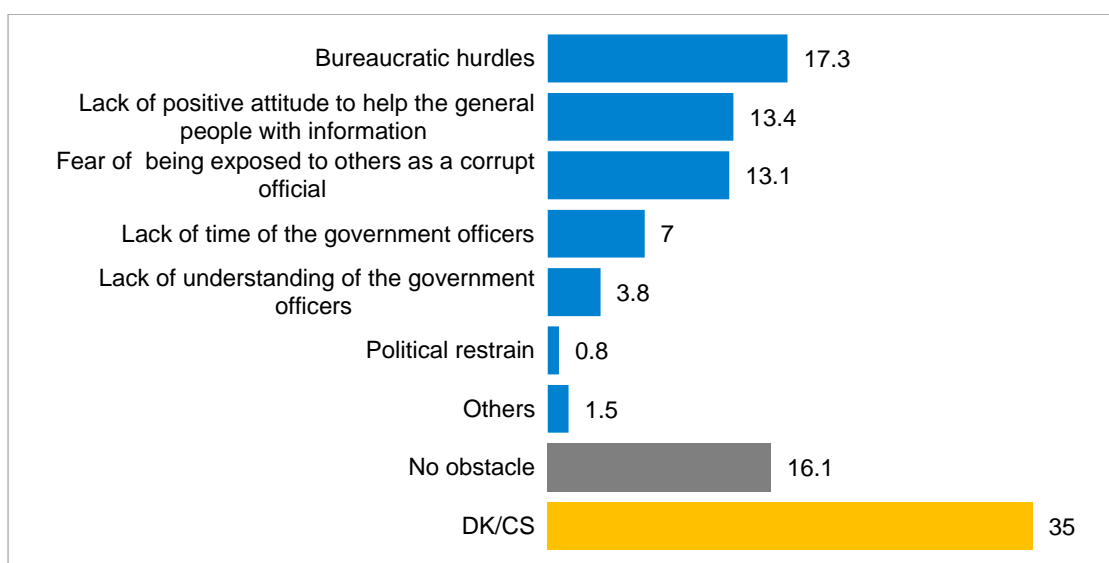
Figure 2.8a: Reasons why people have poor expectations from the implementation of the RTI Act (%)



**Base: 62 (Only those who responded in 'Nothing will change')*

Even those who were otherwise hopeful of the RTI Act having a positive impact recognised that there were many challenges that had to be overcome. Bureaucratic hurdles were identified as a major obstacle by 17.3% of the respondents (Figure 2.8b). The lack of a positive attitude to help people with information (13.4%), and the fear of being exposed (13.1%) were seen as some of the other major obstacles.

Figure 2.8b: Possible obstacles people anticipate in the implementation of the RTI Act (%)

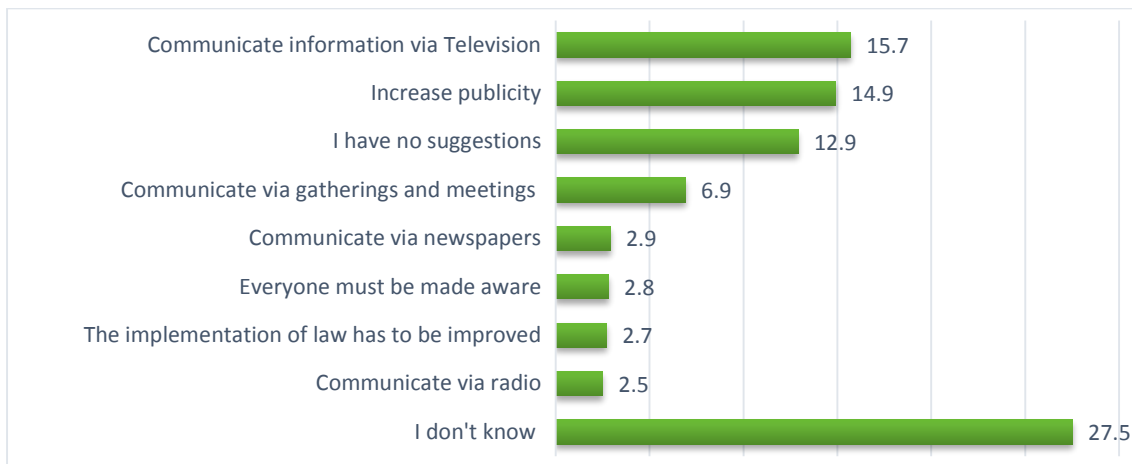


**Base: 2628 (All respondents)*

2.9 Suggestions to improve the implementation of the RTI act

More than half (59.6%) of the respondents had concrete suggestions on what to do to improve implementation of the RTI Act (Figure 2.9). The main thrust was on raising awareness about the RTI Act and the various ways in which this could be done. There was also some stress (2.7%) that the implementation of laws, in general, needs to be improved.

Figure 2.9: Major suggestions to improve the implementation of the RTI Act/rules/procedures (%)



**Base: 2628 (All respondents)*

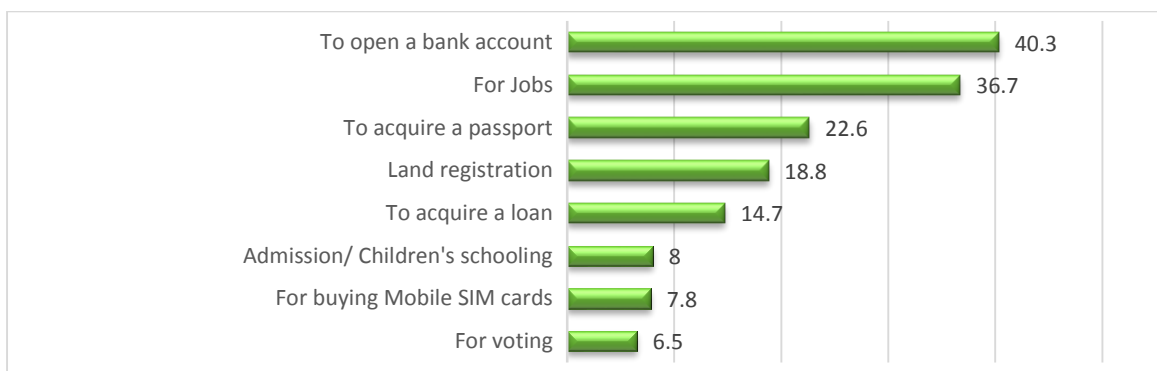
2.10 Usage and need for national ID card

The National ID card is probably one of the most important documents representing the citizenship of any Bangladeshi. The National ID card assists a person in getting a passport and other government support.

As information can be availed with the help of the National ID card, it could well be one of the most important tools that Bangladesh citizens could use to access information.

Most (89%) of the people of Bangladesh have National ID cards. A majority of the people (88%) feel that the National ID card is an important document (Figure 2.10a) for opening a bank account (40.3%), getting a job (36.7%), acquiring a passport (22.6%), land registration (18.8%), etc.

Figure 2.10a: Essential uses of National ID (%)

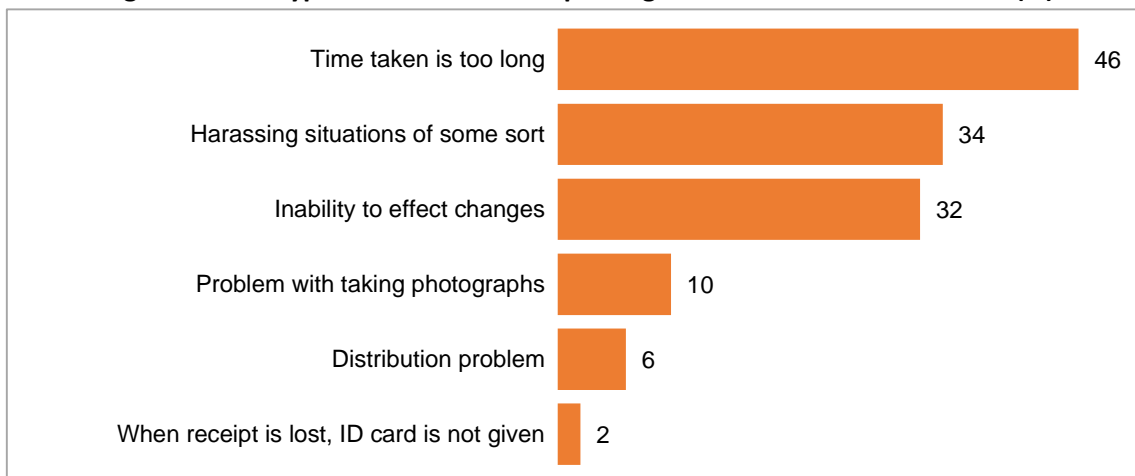


**Base: 2306 (Only those who feel the need for a National ID card)*

Because documents issued by the government take inordinately long to be updated, people often do not take the initiative to update them. For the same reasons, very few people (14%) ask for information on their National ID cards to be updated.

However, a majority of the people who took the initiative, found it easy to update their National ID card information (98%), though people faced some difficulties in this too (Figure 2.10b). Major difficulties people faced were long processing time (46%), harassment of some sort (34%), and inability to effect requested changes (32%).

Figure 2.10b: Types of difficulties in updating national ID card information (%)



**Base: 50 (Those who found problems in upgrading their national ID card information)*

3. Focus Groups and Other Stakeholders: Views and Experiences

Fourteen focus group discussions and 30 in-depth interviews with identified experts were conducted at different centers in the country. Described below is the methodology used and the main findings.

3.1 Methodology

Focus Group Discussions:

Each discussion involved about ten to twelve participants. Though there was a list of questions and issues to guide the moderators⁴ the discussion encouraged a spontaneous and free flowing exchange of opinions and ideas among participants. This technique was very effective for identifying public perceptions and attitudes.

Each discussion lasted for about an hour to an hour and a half and involved citizens of Bangladesh who were over 18 years of age, both male and female, and living in both urban and rural areas.

In-depth Interviews:

NGO workers, opinion leaders including teachers and religious leaders, and journalists were interviewed. The interview was in depth, and one to one. The moderator was guided by a prepared list of questions and issues⁵.

Sample:

Type	Sample size	Target Group	Area
Qualitative (in-depth interview)	30	Relevant stakeholders like NGOs, opinion leaders including teachers, journalists, other professionals.	Across the country
Qualitative (Focus Group Discussion/Open Discussion)	14	Citizens (7 in rural areas, 7 in urban areas).	Across the country

⁴ Ibid - Questionnaire IV

⁵ Ibid – Questionnaire V

FGD Centres:

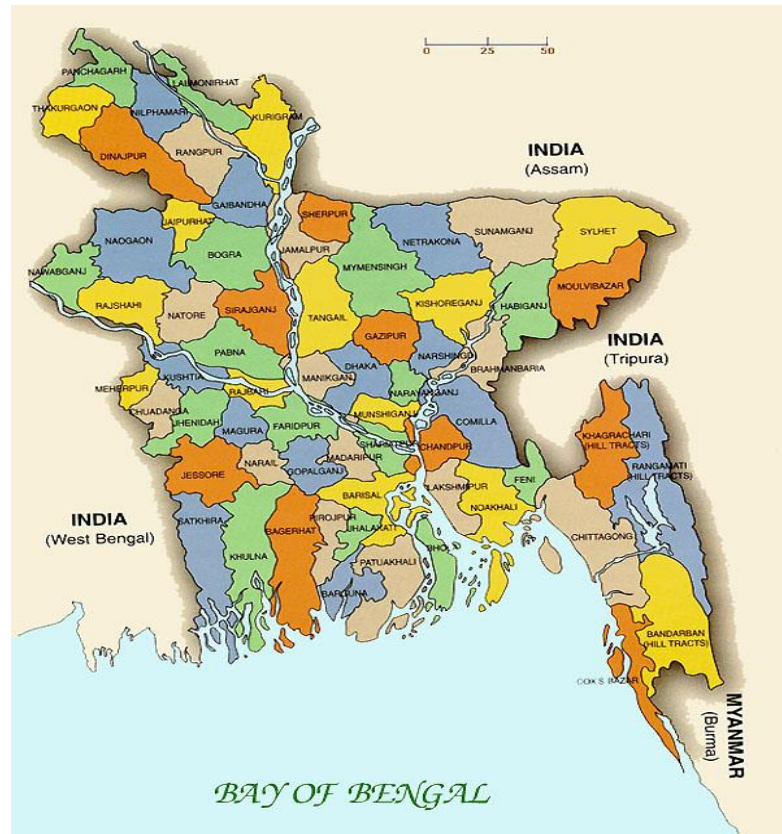
Dhaka – Manikganj,
Savar

Borisal - Potuakhali

Rajshahi –
Chapainobabgonj

Khulna – Khalishpur,
Badhal

Sylhet - Srimongol,
Moulvibazar



3.2 Awareness about the RTI act

As already mentioned, awareness about the RTI Act was very low among the respondents.

Some of the participants stated that they had received SMSs on their mobile phones regarding the right to information. However, they did not give importance to these messages and deleted them just as they would delete unsolicited bulk messages sent by telecom operators and other organizations.

Some of the respondents who were aware of the RTI Act, stated that they had learnt about it during the 'information fair' held in their locality. Some others had heard about RTI on some radio program but could not recall the name, time or type of program. A single respondent said that she had heard of this Act in a street drama conducted by an Udichi cultural organization named 'Kanamachi'.

"As I am actively involved in politics, I have heard of RTI from one of my political co-worker, but don't have any elaborate knowledge regarding this"

(A political activist from Khulna)

"An information fair occurred at Rangamati from where I got updated about our right to information"

(A social worker from Rangamati)

"I have seen in a TV set at the wall of a bank that an old woman stopped begging door to door after she got the information about how to get old (age) pension"

(Respondent from Potuakhali)

No respondent appeared to have a detailed understanding of the RTI Act.

The Chairman of Khulna Badhal Union Council and the Tea Union Chairman from Moulvibazar claimed some knowledge of the Act, and said that their colleagues and professional contacts had been their chief source of information about the Act; because of the nature of their work, they felt the need to be cognizant of current Acts and policies of Bangladesh.

Only respondents from Rangamati had heard about the RTI Act at an information fair at their place.

Respondents from Potuakhali and Barisal expressed resentment over the tendency of government officials to give importance to educated and well-dressed people, and to not cooperate with the poor in any way to provide them with information.

Respondents did not have any knowledge of designated officers at different government offices.

"I have heard of the RTI Act... but no idea about whether it has brought any change to people's lives"

(Badhal, Khulna)

"I have heard of female right... but never heard of information right"

(Female, Savar, Dhaka)

"Never heard of RTI Act before... today this conversation is a lot eye opener for us... never thought that government is so concerned about our information right"

(Female, Potuakhali)

"Poor people are afraid of going to government offices... they feel nervous... this Act will assist them a lot in this regard"

(Male, Rangpur)

Respondents had a very vague idea about the initiation of the RTI Act. However, they were pleased that the government had come up with such a novel concept, as easy availability of information, they believed, was an agent that could help bring about a positive change in their lives.

3.3 Understanding the RTI

Spontaneously, the respondents regarded the right to information as one of their basic human rights—like getting daily news. Moreover, they believed that access to information was essential for increasing their knowledge about various matters.

However, many respondents considered the 'right to information' an upper class concept. The majority was not aware that they had a legal right to get information and said that they had never heard anything from any source in this regard.

A few respondents acknowledged that they were aware of the Right to Information Act, but they did not know when it was implemented, nor did they have any idea about the impact of this law on the lives of people.

Respondents across groups regarded the right to information as something very significant for them, but they did not connect this right to the RTI Act.

The respondents described their understanding of the RTI thus:

“The more information you have... the more enriched you are”
(president of the tea workers association of Bangladesh)

“I am doing my PHD right now... but I never heard about RTI... if we educated folks don’t know about it, how come the average people of Bangladesh can be aware of it!”

Right to Information in their Personal Life:

Respondents across groups stated that they frequently required information regarding health services, agriculture, their local union council, the law enforcement department, and all sorts of utility services. However, they did not have any idea about the RTI Act or the deployment of designated officers for providing them with information.

Respondents across regions expressed their urgency to acquire information that would help solve personal and societal problems.

Respondents from Khulna said they faced frequent trouble from law and order personnel due to many small issues such as case numbers, filing a diary, etc., and had to pay a bribe to get to know the procedures. The trouble they went through to get information about procedures was time consuming and hampered their routine.

Female respondents across groups expressed frustration at not being updated and informed. They felt that their in-laws and senior members of society deterred women from seeking information.

Respondents expressed their concern about procuring information about sensitive matters like corruption, or about important people such as local Members of Parliament, highly placed bureaucrats and law enforcement officers. They spoke about their interest in knowing the income of their MPs, and the budget allocations for, and expenditure on, local construction and other government works. However, they feared that trying to get this type of information would make them and their families vulnerable and insecure.

Citizens regard lack of information as an issue that creates numerous problems at the personal level for them. Easy access to information, they believe, is an agent that can make their life a lot easier.

Followings are some quotes of participants regarding RTI in their personal life:

“Getting the right information is a far cry, the Bangladeshi citizens are the stage of suffering for wrong information.” (Badhal, Khulna)

“I went to Dhaka to get information about developing a female Madrasa in our locality... I was informed that Islamic foundation is the right place for getting cooperation in this regard... however, it wasn’t true... no support is expected from them without political endorsement.” (Rangpur)

"If I want to apply my right to get information... I need to take the permission from my husband beforehand. Moreover, the seniors of the family chastise our curiosity if we want to be updated."
(Female respondent from Khalishpur, Khulna)

"Rural poor people feel very shaky and nervous to get information from the officials... however, they suffer a lot for the misguided and wrong information they get by their surrounding people." (A respondent of Srimongol)

3.4 Benefits expected from RTI

Broadly, respondents across groups saw two major benefits of the proper implementation of the Right to Information Act. These were transparency and reduction in corrupt practices.

Participants in the discussions believed that corruption would be reduced if there was a procedure that allowed citizens to access detailed information on every action taken by government officials. This system would compel government bodies to be careful in dealing with government assets and would make them more responsible. Moreover, it would help change the careless attitude of government officials, while dealing with common people.

They believed this would bring transparency in governance because citizens would have the authority to monitor the happenings of government affairs that affect their life. As an example, they quoted that if 500 tons of relief items were allocated to the local upazila, the right to information would allow anyone to ask for a detailed account of the relief fund.

However, major concerns were expressed about cordiality, willingness to provide information, and mostly about the aftermath and repercussions on a common person who was asking for information that might expose the vested interests of powerful people.

Some of the other expected benefits of RTI included:

Reduction of personal hassles at government offices: Respondents stated that getting information from government offices was a big problem due to bureaucratic hurdles, lack of information about the right personnel, and mostly because of demands for bribes at every step of the process, from top to bottom. Thus, if there were designated personnel who were responsible for giving the relevant information, it would save time, money and energy of the people.

Economic empowerment: Some of the respondents said that timely availability of information paved the way for better economic activity. As an example, they stated that poor farmers had very poor market information and could not determine the appropriate price for their produce. If information regarding market price and the right place to sell their produce was available to them, they could benefit by selling their produce at a higher price.

Opportunity creation: Respondents believed that if RTI was properly implemented, it could have different types of positive impacts on our society and could enhance the standard of living of the people of Bangladesh. The process by which this might happen could be as follows:

Reduction of information gap between rich and poor → chances for all social classes to avail equal opportunity → decline of unfair resource distribution that allowed powerful people to consume more than their share because of ignorance among the poor → the consequent greater availability of resources and opportunities for all levels of people → betterment of people's livelihood.

Creating concerned citizens: Respondents regarded 'Right to Information' as an evolved concept that could make Bangladeshi citizens aware, responsible and conscious of their own rights and could help them fight against the rampant violation of civil rights in Bangladesh.

"In these days, irregularity has become a regular practice... concepts like RTI can make people feel what are their right and how they should be treated" (A respondent from Badhal, Khulna)

3.5 Suggestions to improve the implementation of the RTI act

Many of the respondents believed that the government must have the political will to implement this Act. It was thought that, in order to make the RTI Act effective, technological up gradation was essential, especially by computerizing and putting all the data on the web and allowing speedy access to data. Moreover, network access needed to be easier and, more importantly, user friendly. There should be a strong backup for information storage. The users of this Act should be served by skilled DOs. Those officers who do not perform their duty should be punished. This Act will reduce government red tape, and more people will use it to access information. Bangladesh can also be purged of its "bribe" culture.

3.6 Reasons for not using the RTI act

Respondents believed that a majority of the people of Bangladesh do not know about the RTI Act. Additionally, they felt uncomfortable asking for information because there was a tendency to keep information secret, and the procedure for seeking information was too rigid. The RTI Act remained contradictory to the Official Secrets Act.

4. Responses to RTI applications: Testing the System

The Nielsen research team filed RTI applications with 82 officers from the upazila level to the ministry level in order to assess the functioning of the RTI Act, and of the designated officers (DOs) and others concerned. The methodology used, and the experiences of the team, are described and discussed below.

4.1 Methodology

RTI applications were filed in a sample of 14 districts, two from each of the seven divisions. One large and one small district were selected from each division to ensure proportionate representation. In each district, 3 RTI requests were submitted at the district HQ level and 2 RTI requests were submitted at the Thana HQ level. In addition, 13 RTI requests were submitted to the 12 selected ministries in Dhaka. The ministries were selected by The World Bank. Total sample distribution for the study was as follows:

RTI request submitted				
	Ministry	District Level	Thana Level	Total
Dhaka	13			13
Faridpur		3	2	5
Chittagong		3	2	5
Feni		3	2	5
Rajshahi		3	2	5
Natore		3	2	5
Khulna		3	2	5
Narail		3	2	5
Barisal		3	2	5
Jhalkathi		3	2	5
Sylhet		3	2	5
Habiganj		3	2	5
Rangpur		3	2	5
Gaibandha		3	2	5
Extra		4		4
Total	13	43	26	82

Once the districts were selected, names and addresses of designated Officers were collected from the Information Commission website and a list was prepared. From the list, 70 designated officers were selected randomly. In Dhaka, the DOs were selected from all 12 ministries selected by The World Bank. After the final selection of designated officers, RTI requests were submitted to all of them. Most requests were sent to designated officers by courier, some were sent by post and very few were hand delivered, by visiting the offices. The applications were sent in May and July 2012.

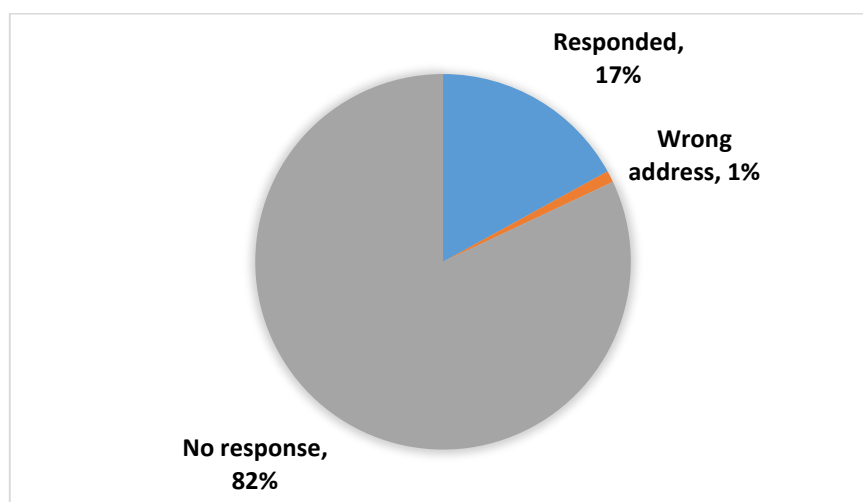
Only two questions were asked in all RTI applications: “How many RTI applications have you received so far? Could you give me the names and contacts of the applicants?”

The progress of these applications was monitored and an interesting analysis emerged on how many designated officers responded at all, how many refused information, and their attitude towards implementing the RTI Act.

4.2 Findings

After submitting the requests, the applicants waited for a month to receive feedback. At the end of the waiting period, the result was as below:

Figure 4.2: Status of RTI Applications after One Month



In most of the cases (82%), the RTI officers did not respond within the one-month period. Only in 17% of the cases, the designated officers responded to the applicants' requests. Those who responded to the requests provided the following responses:

- Wanted to know the reason for collecting the list of names and addresses
- Could provide the number of applications, not the list
- The list could not be provided, since the information requested was personal in nature
- Requested to contact the DO later
- Would provide the list upon receiving the processing fees
- They had not received any RTI application before this one
- Provided the information

The response rate was as follows:

Ministry level	District level	Upazila level
Received responses to 2 requests out of 13 (Success rate: 15%)	Received responses to 7 requests out of 43 (Success rate: 16%)	Received responses to 5 requests out of 26 (Success rate: 19%)

One had gone to the wrong address and, therefore, was not followed up.

Those who had not responded (67 of the 82 DOs with whom Nielsen filed the applications) were further contacted regarding the requests. Almost all of them responded that they had not received any RTI application prior to the one filed by Nielsen, requesting details of applications received; three

officers refused to provide the lists and two officers agreed to provide them later. The response rate was higher in Rajshahi, Norail and Khulna Districts.

Feedback	Follow up result: RTI applications	Percentage (out of 67 applications)
No RTI application received prior to Nielsen's	62	92.54%
Refused information	03	4.48%
Agreed to provide information later	2	2.99%
Total	67	100%

4.3 Discussion

The findings above indicate that there is scope for designated officers to increase their awareness of the RTI Act in order to serve citizens better. Most of the DOs who had not received any RTI application before the one filed by Nielsen, did not respond to Nielsen's application with this information. Clearly, this was a violation of the RTI Act, but it is possible that the DOs were not well aware of the relevant provisions of the Act, which required them to respond even if they had no information to give.

Other DOs believed that the type of information sought was 'personal' and could not be shared. This shows a lack of clarity of their duties as designated officers, and of the provisions of the RTI Act. There is, therefore, a need for comprehensive and ongoing training programs for them to discharge their duties as DOs, and to do so within the timeframe provided under the RTI Act.

Nielsen also found that RTI submission rate was very low, since 78.05% of the RTI designated officers said that they had not received any RTI request for information yet. In addition, data collected from the interviews of people indicated that overall, only 23% of the people were aware of the RTI Act, with many among these having only a vague idea about it. This is perhaps the reason for the low rate of filing of RTI applications in Bangladesh, underlining the urgent need for creating awareness of the transparency law.

5. Designated Officers: Capacities, Attitudes, and Functioning

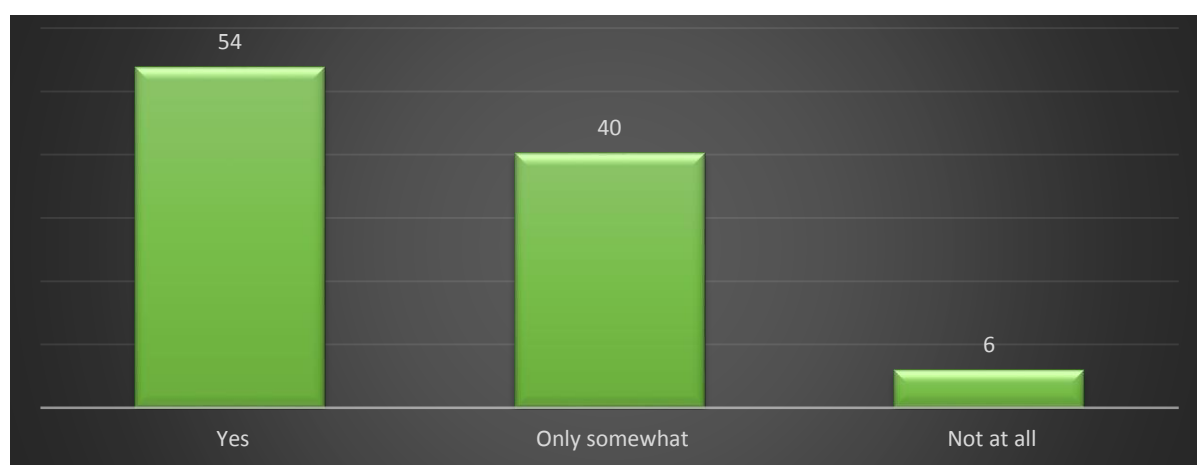
The successful implementation of the RTI Act 2009 is heavily dependent on the capacities, attitudes and functioning of the designated officers across the country. As they are the interface between the public and the government, and those charged with the responsibility of either supplying the requested information or giving a reasoned refusal, they are perhaps the most critical link in the chain of command responsible for implementing the RTI Act.

Accordingly, a sample of 507 designated officers (DOs) were interviewed across the country and at various levels of the government. A questionnaire was used for this interview⁶.

5.1 Awareness of the RTI act

Almost all the designated officers (94%) claimed to be aware of the RTI Act. However, only a little over half (54%) of them knew the RTI Act well, and forty percent knew it 'somewhat'.

Figure 5.1: Do you know the RTI Act well? (%)



**Base: 507 (All designated officers)*

5.2 Sources of awareness

Most of the DOs interviewed became aware of the RTI Act from multiple sources, the most common being newspapers (72%). Other sources of awareness about the Act were government memorandum (47%), training (23%), colleagues (20%), TV (16%), and SMSs on the mobile phone (8%). While it is encouraging that newspapers have been publishing news related to the RTI Act, the fact that 72% of the DOs learnt of the RTI Act from newspapers, and only 23% from training received to discharge their duties as DOs, is indicative of the need for much more intensive training.

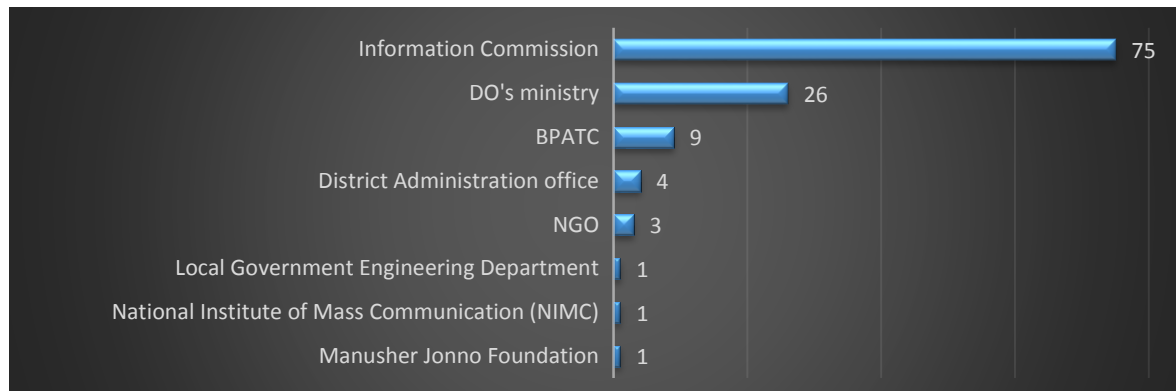
5.3 Training

The RTI law is very new in Bangladesh. Receiving training can help DOs implement the RTI Act purposefully. Only around one-fourth of the designated officers (28%) received training on the RTI. This further highlights the urgent need to train a majority of them.

⁶ Ibid – Questionnaire III.

Three-fourths of the RTI-trained respondents received training from the Information Commission (Figure 5.3a). Other sources where they received training were their respective ministries (26%), Bangladesh Public Administration Training Centre (9%), etc. The duration of the training was rather short—1.6 days, on an average.

Figure 5.3a: Place of training (%)

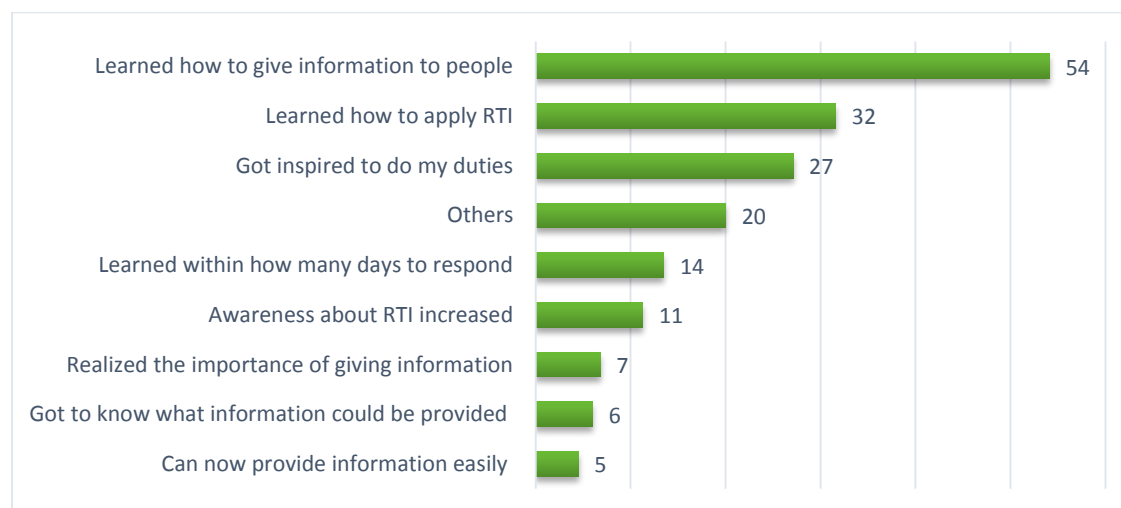


** Base: 141 (Those who received training on RTI)*

Though most (94%) of those who were trained said that the training was useful to them, Nielsen's experience of seeking information using the RTI route indicated a lack of clarity among DOs regarding the provisions of the Act and their duties as DOs (Chapter 4). This is borne out by the fact that each DO received training, on an average, for 1.6 days only.

However, a majority of the respondents said that they learned how to give information to people (54%). Other benefits were learning how to apply the RTI Act (32%); getting inspired to do their duties (27%); and learning within how many days to respond (14%).

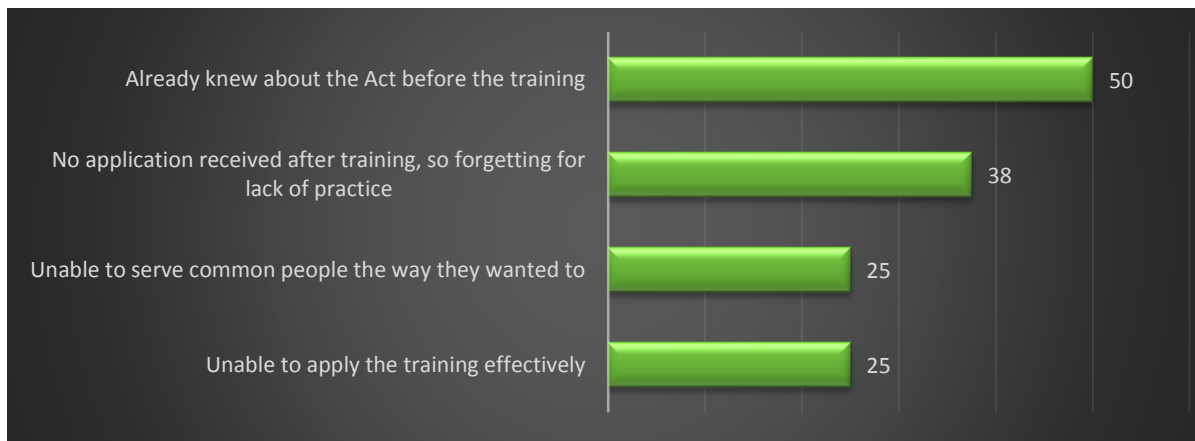
Figure 5.3b: Usefulness of the training (%)



** Base: 141 (Those who received training on RTI)*

When those who did not find the training useful were quizzed further, 50% of them stated that they had already known about the RTI Act, and some others (38%) said that since they received no RTI applications after their training, they got no practice, and had started forgetting the RTI Act (Figure 5.3c).

Figure 5.3c: Reasons for training not being useful (%)

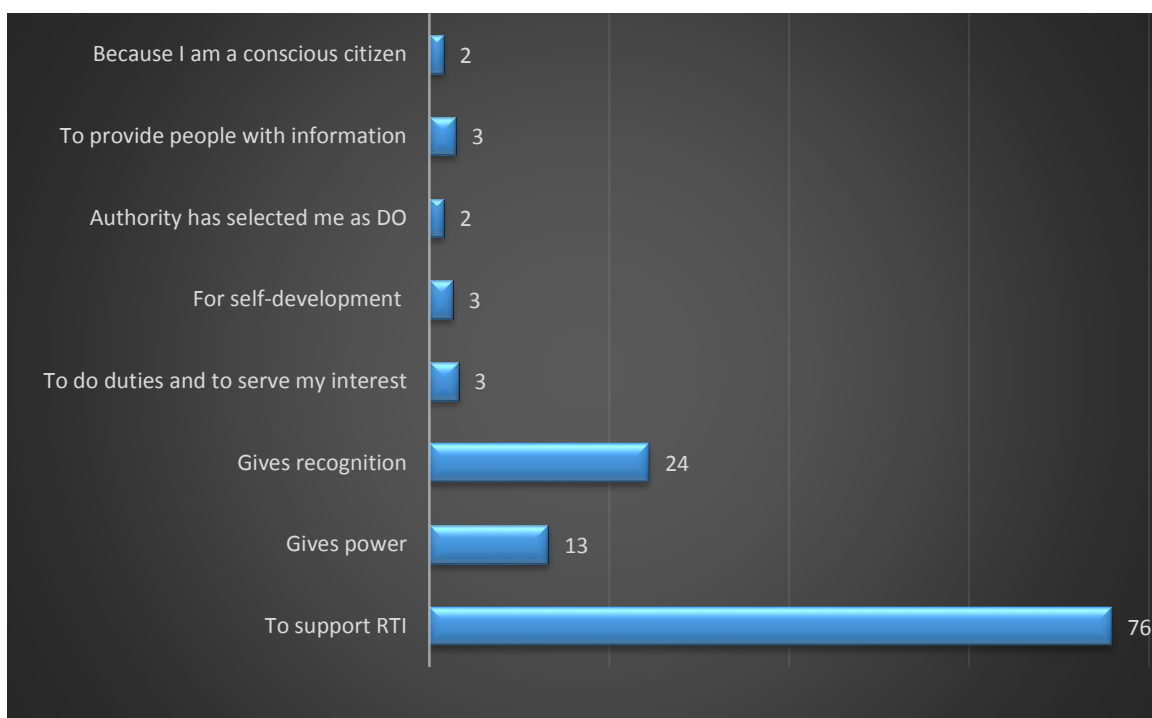


**Base: 8 (Those who said that training was not useful)*

5.4 Attitude towards being a designated officer

As the RTI Act is rather new in Bangladesh, on an average the surveyed designated officers had been working as DOs for 16 months.

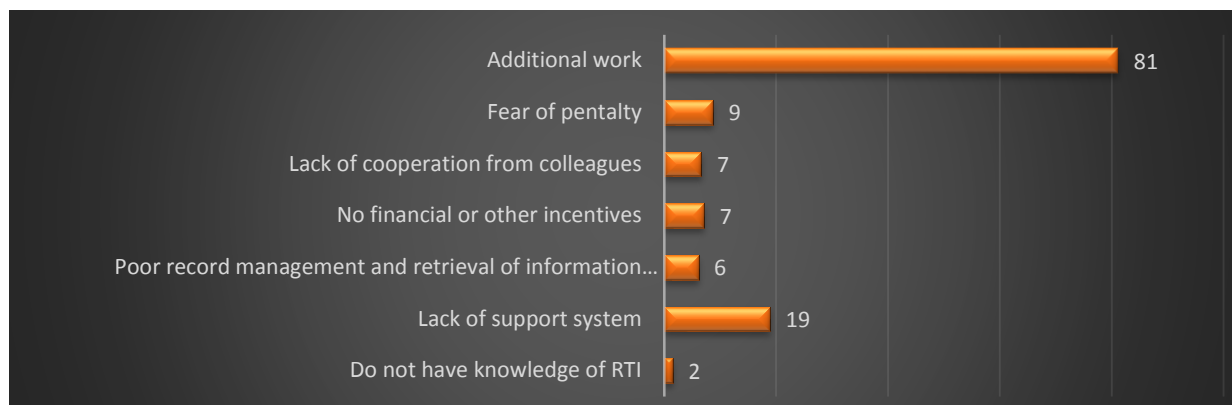
Figure 5.4a: Reasons why they wanted to be DOs



**Base: 311 (Those who wanted to be DOs)*

Around two-thirds of the DOs admitted that they wanted to be DOs. As for reasons why they wanted to be DOs (Figure 5.4a), three fourths of them admitted they wanted to support the implementation of the RTI Act (76%). Other prominent reasons were that being DO gave recognition (24%), and power (13%).

Figure 5.4b: Why they did not want to be DOs



**Base: 196 (Those who did not want to be DOs)*

The main reason some did not want to be DOs (Figure 5.4b) was that they considered this additional work (81%). Other reasons included lack of a support system (19%), fear of penalty (9%), lack of cooperation from colleagues (7%), no financial or other incentives (7%), and poor record management making retrieval of information difficult (6%).

5.5 Functioning as a designated officer

Receiving RTI applications

On being asked how many RTI applications they had received, 96% of the DOs responded that they had not received any RTI application. Those who had received RTI applications said that they had received, on an average, four RTI applications. When asked about their acceptance of RTI applications, almost all (99%) responded that they accepted all the requests and did not have any problems responding to them.

Documentation of RTI Applications

A majority of the respondents (88%) did not have any experience of RTI related documentation. This might partly be due to the fact that as most of them had not received any RTI application, they had not yet started maintaining a record of the RTI applications received, dates of receipt, information provided, dates on which provided, whether partial or complete information was provided, number of applications for which information was denied, and reasons for denial.

Work Pressure

Working as a Designated Officer and dealing with implementation of the RTI Act is an additional duty for every officer. To work seriously as a DO, one needs to make time and have patience. However, only a minority of the respondents (12%) felt overburdened as designated officers. However, considering that most of them had received no RTI applications and even those few who had received any applications had received only four in the last sixteen months, it is surprising that any one of them felt overburdened.

Motivation

Since dealing with the implementation of the RTI Act is an additional duty for designated officers, they need to be motivated to work as DOs. When asked what could motivate them to perform as DOs (Figure 5.5a), 74% of them thought it got them recognition from their supervisors, followed by

improved career track (28%), opportunity for training (10%) and the opportunity to be of service to others (8%).

Figure 5.5a: Motivating factors to perform as DOs (%)



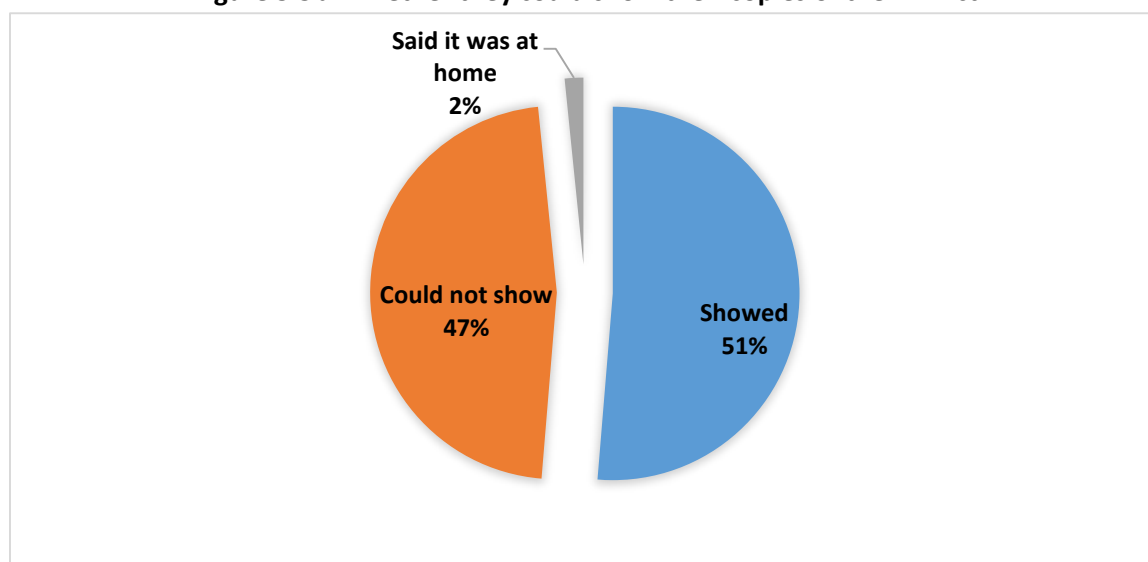
**Base: 507 (All designated officers)*

Support Systems

A Designated Officer is required to have a copy of the RTI Act in his or her office. Nevertheless, only a little over one-third of the respondents (37%) claimed that they had a copy of the Act.

However, when these DOs were asked to produce the document to verify their claim, only half of the respondents (51%) could show their copies of the Act. The other half said they did not have their copies with them at the time of the interview. A small number of them (2%) said that they had theirs at home.

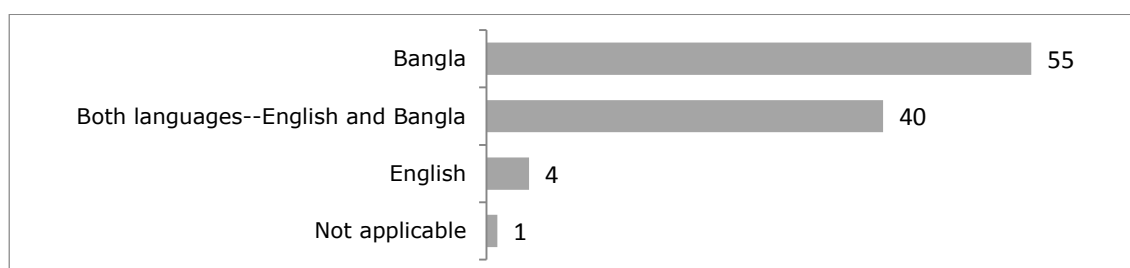
Figure 5.5b: Whether they could show their copies of the RTI Act



**Base: 188 (Those who said they had a copy of the RTI Act)*

More than half of the respondents who said that they had a copy of the RTI Act (hard or soft copy), said that they had a copy of it in Bangla (55%), and 40% said that they had it in both Bangla and English (Figure 5.5c).

Figure 5.5c: Language of the copy of the RTI Act DOs have (%)

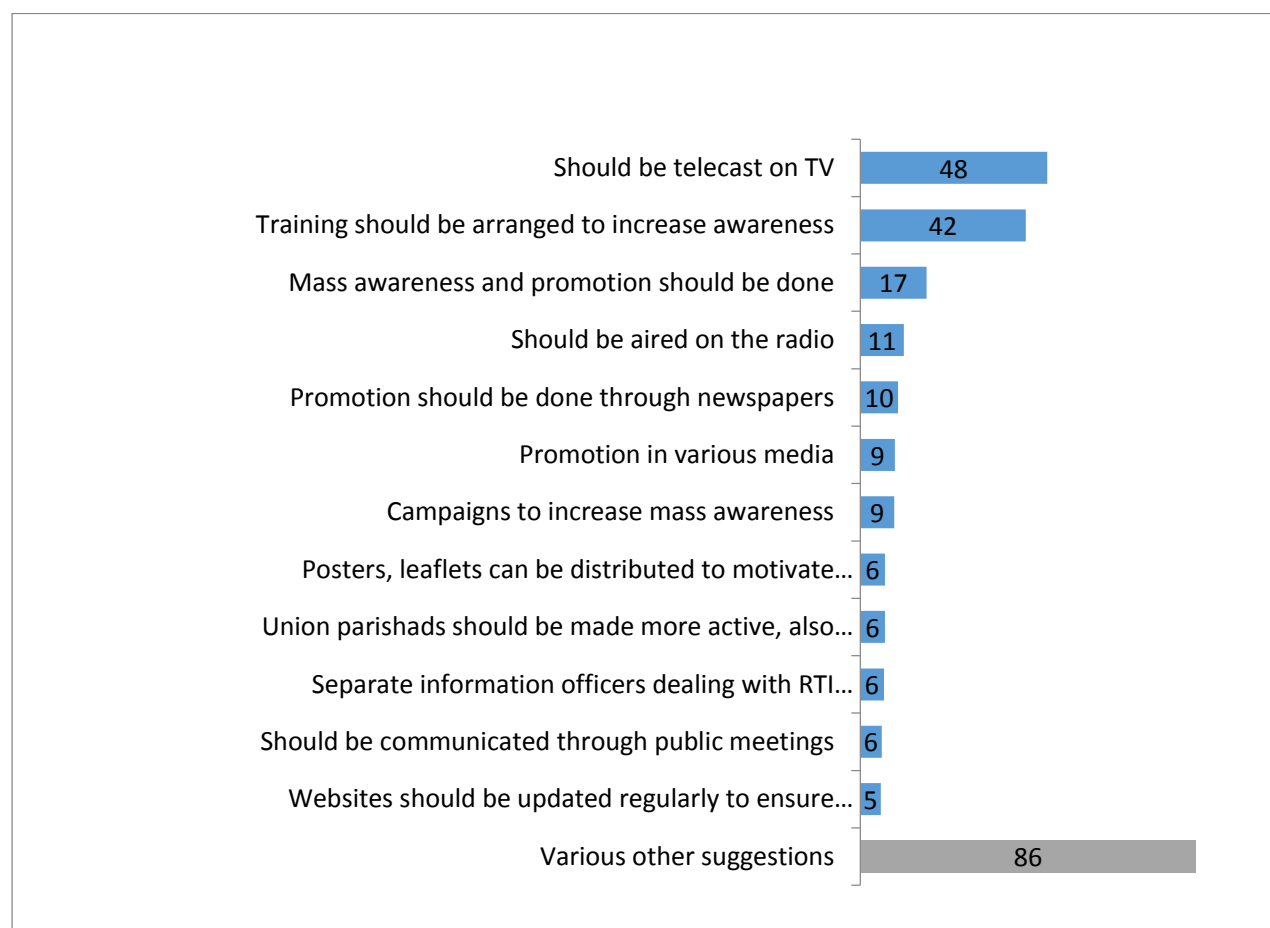


Base: 188 (Those who said they had a copy of the RTI Act)

5.6 Suggestions for increasing awareness of the RTI act

Various suggestions for increasing the awareness of the RTI Act, rules, and procedures were offered (Figure 5.6). Forty-eight percent suggested that there should be telecasts on the RTI Act on TV. Other suggestions included the arranging of training to increase awareness (42%), mass awareness and promotion (17%) and airing the details of the RTI Act on the radio (11%).

Figure 5.6: Major suggestions on increasing awareness of the RTI Act (%)



6. Recommendations

Listed below are some of the main recommendations that this study has thrown up, either through an analysis of its findings, or as suggestions from those who participated in, or interviewed for, this study.

Expectedly, the bulk of recommendations emerging from this study are clustered around three areas: raising awareness and understanding of the RTI Act and its use; training and orienting designated officers to more effectively and sensitively process RTI applications; making the access to information easier, especially by providing information speedily. Listed below are some of the main recommendations that have emerged from this study under each of these three broad heads.

6.1 Raising awareness about the RTI act

1. Findings from FGDs show an alarming lack of information about the Act, not just among people who participated in the FGDs, but also among the interviewees of the in-depth interviews, comprising stakeholders like local politicians, teachers and journalists. Awareness generation drives need to be taken up in every part of the country[suggested during FGDs & In-depth interviews]
2. Of the 2,628 people interviewed for this study, none had used the RTI Act for accessing information. A majority of the people interviewed (77%) had not heard of the RTI Act. This clearly shows the urgent need for creating awareness about the Act among the people [suggested during citizen interviews].
3. Since 80% of those who had heard of the RTI Act, had either only perfunctory knowledge of it or had merely heard of it, the awareness level among people is even lower than may be initially perceived. This further underlines the need for educating the people about their right to get information using the RTI Act [citizen interviews].
4. Of the 23% who were aware of the Act, only 21% said their knowledge of it resulted from campaigns and discussions focused on creating awareness. Most (79%) had learnt of it from personal or private sources. This points to a lack of sufficient number of awareness generation campaigns, which need to be stepped up [citizen interviews].
5. Another fact that emerged from these interviews is that people do not fully realize that some of the information they need is available with government sources. While 73% of the people interviewed said that access to information could help solve problems, 38.9% said they did not need any information from the government. Hence, they need to be educated not just about their right to access information relevant to their needs but also the areas in which they can access such information from government sources [citizen interviews].
6. Since television (71%) and the newspaper (26%) have been major sources of knowledge about the RTI Act among the people so far, they need to be used as tools to increase awareness about the Act, along with organized campaigns and discussions [citizen interviews].
7. Throughout the study, wherever people were found to be unaware of the RTI Act, they were briefed about it and about the contribution it could make to society. Immediately afterwards, most expressed positive sentiments about the Act, and nearly all of the people (96.1%) thought that the RTI Act was good and that it would contribute positively and make a difference to society. This is a clear indicator of its keen acceptance among the people, and shows that the

only thing hampering people from using the Act is a lack of awareness about it [citizen interviews].

8. Of the 77% who admitted that they were not aware of the RTI Act before this study introduced it to them, even after hearing of it, a significant number (40.8%) of people did not know whether the Act could help resolve problems. It is important then that they are made aware of their right to seek various types of information related to their problems—why these problems occur, who is responsible for their resolution, how long their resolution will take—and encouraged to use the Act to access this information. Only then will they know whether the RTI Act is useful in solving their problems [citizen interviews].
9. Since the RTI Act requires DOs to provide information within a stipulated timeframe, it would largely solve this problem of delays that people routinely face while trying to access information from government sources. However, this could only be possible if people were aware of their right to seek information using the RTI Act. This further underlines the need to spread awareness of the Act among the people [citizen interviews].

6.2 Training and orientation of DOs

10. One disturbing fact that emerged was that there were major concerns around cordiality, willingness to provide information and mostly the aftermath of a common person asking for information about matters that might hamper the vested interests of powerful people. The RTI Act allows people to seek information in relative anonymity. Encouraging people to access information through it would greatly fulfil their need for seeking information [FGD and In-depth interviews].
11. Respondents expressed their concern about the tendency of officials to be secretive about information and their reluctance to part with it. They also felt that the procedure of seeking information was too rigid. DOs need to be trained not just on the implementation of the Act in letter but also in spirit by responding keenly to applications and not try to discourage people from seeking information [FGD and In-depth interviews].
12. Interviews with citizens also revealed that people are reluctant to access information from government sources because they feel it takes too long and there is too much apathy [citizen interviews].
13. Among the people who had tried to seek information from government sources some blamed inadequacy of the office/department staff in the subject matter of information sought. This indicates a need for the staff to be aware of the goings on in their offices, and the training needs of the officials responsible for disseminating information as DOs [citizen interviews].
14. Of the 82 DOs that the research team filed applications with, 82% did not respond within the one-month period. Only in 17% cases, the designated officers responded to the applicants' requests within a month. This indicates a lack of awareness among them about the provision of the RTI Act that requires them to provide information within a stipulated period. Training programs for DOs need to be more comprehensive and the need for providing information within the given timeframe needs to be stressed [lessons learned from the RTI applications filed by the research team].
15. Even among the responses of the DOs there were many with reasons for not providing information or providing partial information. These included asking for the reason of seeking information, the information sought being private in nature, and asking the applicant to

contact the office at a later date. This shows that the DOs need to be trained on the implementation of the Act [lessons learned from the RTI applications filed by the research team].

16. When those DOs that did not respond to the research team's applications were contacted again, most responded that they had not received any applications before the one sent by the research team. DOs do not realise that informing the applicant that they have not received any RTI application is the appropriate response in such a situation. This further highlights the lack of clarity among DOs of their duties as DOs and about the provisions of the RTI Act, and therefore the need for a more comprehensive training program [lessons learned from the RTI applications filed by the research team].
17. Of the 507 DOs interviewed, 50% claimed to have knowledge of the RTI Act, and 40% said they knew of it 'somewhat'. This also highlights the importance of training programs, for a DO cannot be expected to discharge her/his duties with merit unless adequately trained to do so [Interviews with DOs].
18. While it is encouraging that newspapers have been publishing news related to the RTI Act, the fact that 72% DOs have learnt of the Act from newspapers, and only 27% from training received to discharge their duties as DOs, is indicative of the inadequacy of training programs for them. There is thus an urgent need to set up a system that ensures ongoing training programs for DOs [Interviews with DOs].
19. From the interviews of the DOs it was learnt that on an average, each DO received training for about 1.6 days. This is perhaps the reason for the lack of clarity of their duties as DOs, and the provisions of the Act, a fact that was proven in the responses received by Nielsen to their applications. Training programs for DOs need to be carefully designed to include all aspects of the implementation, for which this training period is perhaps not sufficient [Interviews with DOs].

6.3 Making access to information easier

20. People also feel that information storage needs to be improved, access to data made easy in government offices and technological up gradation undertaken to make this possible. This would go a long way in making information dissemination more efficient [citizen interviews].
21. One third of the DOs interviewed said they had copies of the RTI Act, and when asked to show it, 50% of them could not locate their copies. DOs need to be motivated to approach their duties towards the implementation of the RTI Act with more enthusiasm [Interviews with DOs].
22. Since a majority of the designated officers (DOs) value recognition by supervisors as a motivating factor to work as DOs, their performance as a DO should be evaluated as a part of the performance report of the officer, if this is not already being done. This will motivate the DOs to work seriously in serving RTI applications and making RTI popular among the common people [Interviews with DOs].
23. RTI application forms should be made available to people in the offices. The office management should explain in a friendly manner to the visitors how to apply for information using the RTI Act [Interviews with DOs].
24. There should be notice boards for visitors with information of the DO and the procedures to apply for information [Interviews with DOs].

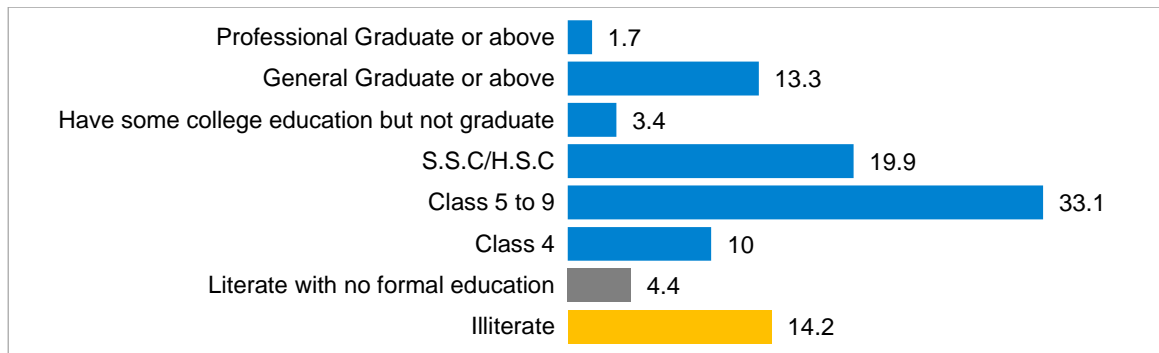
Empowerment Through Information - II

25. It is very challenging for visitors to find the DO in an office. Visitors have to ask several people before they can locate the DO. Therefore, the name of the DO should be at the reception of the office [Interviews with DOs].
26. Availability of a citizen's charter would help people know about the activities of the office [Interviews with DOs].

Annexure I – Demographics

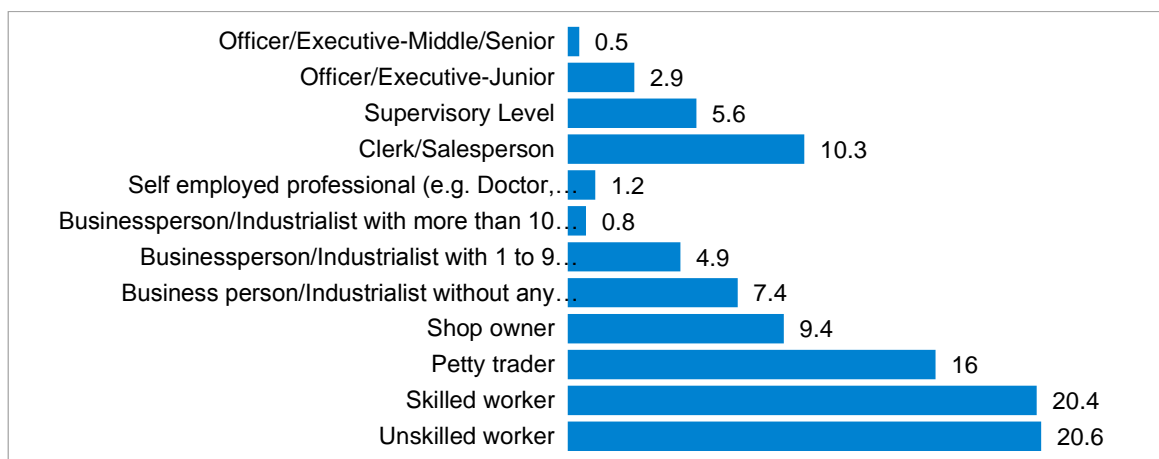
Figure AI-1, AI-2 and AI-3 highlight the major demographic profiles of all the respondents who did not submit RTI requests.

Figure AI-1: Education of head of Household (%)



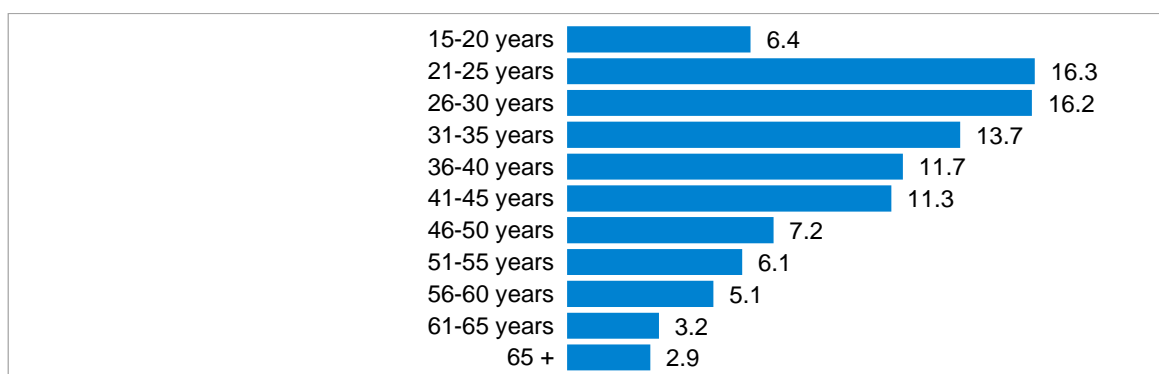
*Base: 2628 (All respondents)

Figure AI-2: Occupation of chief wage earner/Head household (%)



*Base: 2628 (All respondents)

Figure AI-3: Age ranges of respondents (%)

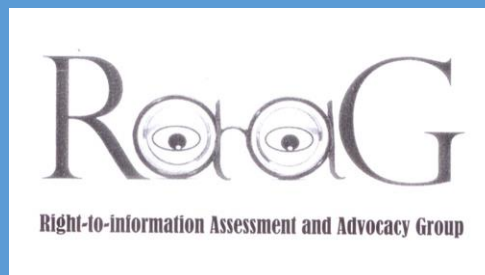


*Base: 2628 (All respondents)

Who Uses the RTI Act in India, and for What?

An empirical analysis of a sample of RTI applications filed by the
people of India

Part of the ongoing People's Assessment of the Right-to-Information Regime in India



In collaboration with

TAG

Transparency Advisory Group

2014

Research Team

Amrita Johri
Anjali Bhardwaj
Asha Tandon
Bincy Thomas
Misha Singh
Ridhi Sharma
Ruby Singh

Salim Qureshi
Shabina
Shekhar Singh
Stuti Govil
Sudeshna Nanda
Sushma Shrivastava

Translators

Angelle Wallang (Khasi)
Hari Prasad (Telugu)
Juthika Sarmah Bardoloi
(Assamese)
Kiran Kamble (Marathi)
Meghnad Sahu (Oriya)

Purva Marathe (Marathi)
Rahul Bhandare (Marathi)
Ranjana and Dinesh Doshi
(Gujarati)
Sundaresk (Kannad)
Versha Kaushik (Gujarati)

Many people have contributed to this study in one way or another. The research team is particularly grateful to Nikhil Dey, Shailesh Gandhi, Toby Mendel, and Vikram K. Chand, and to the participants of the meetings in Delhi and Mumbai where the preliminary version of this report was discussed. An electronic copy of this report is available at the Transparency Advisory Group (TAG) website:

<http://transparencyadvisorygroup.org/>

The requisition and compilation of RTI applications has been done with the initial support of Google.com. The analysis of the applications has been done in collaboration with the Transparency Advisory Group and with substantial support from the World Bank.

A preliminary version of this analysis was presented at a workshop organised by the Transparency Advisory Group in Bangkok, in January 2013.

Contact: shekhasingh@gmail.com

RAAG Website: <http://www.rti-assessment.com/>

Table of Contents

Abbreviations and Glossary of Terms.....	51
Summary and Recommendations	52
Seeking information that should have been provided proactively	52
Subjects on which information was sought	54
The form in which information was requested	54
Information about people and about geographical and administrative units	56
Charges of misuse against the RTI Act, 2005.....	56
Profile of Applicants	57
Length of RTI Applications:.....	57
1. INTRODUCTION	58
1.1 <i>Background to the Study</i>	58
1.2 <i>Rationale for the Study</i>	59
1.3 <i>Specific Objectives</i>	61
1.4 <i>Methodology</i>	63
<i>Sample</i>	64
<i>Limitations of the methodology</i>	64
2. FINDINGS.....	66
2.1 <i>Problematic RTI Applications</i>	66
<i>Vexatious applications</i>	67
<i>Frivolous Applications</i>	70
<i>Requiring a Voluminous Response</i>	71
<i>Infringement of Privacy</i>	72
<i>Seeking Information Covering a Long Time Span</i>	73
<i>Applications Flooding Public Authorities</i>	73
<i>Unclear Applications</i>	75
<i>Applications Registering Complaints or Grievances rather than Seeking Information</i>	76
<i>Applications Asking for Help Rather than Information</i>	77
<i>Lengthy Applications</i>	78
<i>Bits of Information Asked For and Topics Covered</i>	78
2.2 <i>Profile of the Applicants</i>	80
<i>Public Servants asking about their own Service Matters</i>	80

Empowerment Through Information - II

<i>Rural Urban Divide</i>	81
<i>Gender</i>	82
<i>Applying as individuals, groups or organization</i>	82
2.3 Types of Information being asked for through the RTI Act	82
<i>Coverage</i>	83
<i>Information about Norms</i>	84
<i>Information about Decisions</i>	84
<i>Information about the Basis of Decisions</i>	85
<i>Information about Delays/Lapses</i>	86
<i>Seeking Information about the Deliberative Process</i>	87
<i>Information about Action Taken or Proposed to be taken by a Public Authority</i>	88
<i>Enquiries, investigations, assessments, etc</i>	89
<i>Information about Financial and Economic matters</i>	90
2.4 In What Form is Information Being Sought?	91
ANNEXURES	93
ANNEXURE 1: CONSOLIDATED STATE AND NATIONAL DATA	93
ANNEXURE 2: DETAILED METHODOLOGY	97
Selecting a Sample of States, Districts, and Villages	97
Selecting a Sample of Public Authorities	98
ANNEXURE 3: COPY OF THE RTI APPLICATION	100
ANNEXURE 4: EXPANSION OF CODES.....	102
ANNEXURE 5: STRUCTURE OF DATABASE FOR ANALYSIS OF RTI APPLICATIONS	103
ANNEXURE 6: SOME “VEXATIOUS” RTI APPLICATIONS	105
ANNEXURE 7: SOME RTI APPLICATIONS SEEKING “PRIVATE” INFORMATION	107
ANNEXURE 8: RTI APPLICATIONS SEEKING HELP RATHER THAN INFORMATION	108
ANNEXURE 9: COMPLAINTS AND GREIVANCES FILED AS RTI APPLICATIONS	109
ANNEXURE 10: INFORMATION THAT SHOULD NOT HAVE NEEDED AN RTI APPLICATION	110
ANNEXURE 11: SUMMARIES OF SOME INTERESTING RTI APPLICATIONS.....	114

Abbreviations and Glossary of Terms

AVG	Average
CIC	Central Information Commission or Chief Information Commissioner
CJI	Chief Justice of India
CM	Chief Minister
DDA	Delhi Development Authority
DGFT	Directorate General of Foreign Trade, Government of India
DoPT	Department of Personnel and Training, Government of India
File notings	The notes made on a separate sheet(s) of paper, known as a note sheet that contains a summary of the issue under consideration, the views of the various officers, and the orders of the relevant empowered functionaries. These collectively comprise the deliberative process of decision making.
IAS	Indian Administrative Service
MIG	Middle Income Group
NCPRI	National Campaign for People's Right to Information
OM	Office Memo
PA	Public Authority
PIO	Public Information Officer
PM	Prime Minister
PMO	Prime Minister's Office
RaaG	Right-to-information Assessment and Advocacy Group
RTI	Right to Information
SC	Scheduled caste – the legal classification of castes that were historically discriminated against
SDM	Sub-divisional Magistrate
SHO	Station House Officer – a police officer in-charge of a police station
ST	Scheduled Tribes – the legal classification for groups of <i>adivasis</i> or traditionally forest dwellers
<i>Suo moto</i>	Pro-actively
TAG	Transparency Advisory Group
USA	United States of America

Please see Annexure 4 for expansion of the codes used in the tables and in the annexures.

Summary and Recommendations¹

Seeking information that should have been provided proactively

Though this study was initiated to determine whether there was a factual basis for the frequent charge from the government that the RTI Act, 2005, was being widely misused by the citizenry, especially by filing a large number of vexatious, frivolous and otherwise objectionable applications (with no legitimate purpose whatsoever), perhaps the most important finding that it has thrown up is that over half (54%) of the RTI applications filed in the country (reportedly 4 million in 2012) were asking for information that should have been made public without having to file applications, and in many cases without reference to the RTI Act. As per our findings, many such applications sought details regarding decisions taken by public authorities, typically asking what the decision was, when it was taken, who it applied to, and other such. This is the type of information that common sense suggests, and section 4(1) (c) of the RTI Act mandates, should be proactively communicated to the concerned persons.

About 20% of the RTI applicants were asking for information such that it should have been provided to them without their ever having to file an application or even without using the RTI Act. These applicants were seeking acknowledgement or response to earlier, often long pending, missives, or seeking feedback about, or an update on, an ongoing interaction with the public authority. Therefore, only 26% of the applications asked for information that was not required to be disclosed proactively, either publicly or privately to the applicants.

Of course, it is quite possible that some of the information asked for by applicants had already been put in the public domain by the concerned public authority. However, the fact that people were still filing RTI applications for that information would mostly (and most often) mean that either the information was not made public or, if made public, was not easily accessible, was not widely comprehensible, or its existence in the public domain was not adequately publicised, as envisaged under section 4(1) (b) (xv) of the RTI Act.

The very poor record of proactive suo moto disclosures is at least partly due to the fact that so far there has been no practice of holding the public authority (and its officials) responsible for violating section 4(1) of the RTI Act that requires proactive disclosure of many types of information. This has not only resulted in millions of people having to waste time, money and effort and file RTI applications, but also has put a heavy load on public authorities and information commissions that have to respond to or adjudicate on such applications.

Similarly, though the *Manual of Office Procedures*² produced by the Government of India mandates that all public authorities must acknowledge missives from people within 15 days and send a response, at least an interim response, within 30 days, yet RTI application after application talks about letters and numerous reminders pending for months, sometimes years, and the RTI

¹ For a statistical summary of the findings of the study, disaggregated state wise, please see annexure 1

² *Central Secretariat Manual of Office Procedures*, Thirteenth Edition, Ministry of Personnel, Public Grievances and Pensions, Department of Administrative Reforms and Public Grievances. September, 2010. Page 39, paragraph 66. www.darpg.gov.in

Act being used as a last resort to secure a response from an indifferent government, sometimes on matters of life and death and mostly in exercise of citizens' rights and entitlements.³

Therefore, a reasonable conclusion that one can draw from these findings is that the RTI Act is primarily being used to seek information that should actually have been provided without being requested for, and without having to invoke the RTI Act. Only about a third of the applicants were actually trying to access the type of information that they would not have ordinarily been entitled to without invoking their fundamental right to information, as facilitated by the RTI Act.

Based on these findings certain recommendations emerge, and are listed below.

Recommendation 1: *Each competent authority must require each of the public authorities under its charge to nominate one or more officers as PIOs to be responsible for ensuring that proactive disclosures under section 4(1) are complete, accurate, updated, and appropriately structured, in a language and form that is easily accessible to, and understandable by, the common public. The information being proactively disclosed should be effectively publicised so that every citizen can find out what information is available proactively, where, and how best to access it. The tendency to treat the website as adequate for section 4 disclosure must be discouraged as a large proportion of the Indian population, especially those who need information most desperately and are poor or live in rural or semi-urban areas, do not have reliable and effective access to the web, and often no access at all.*

Where competent authorities are hesitant to appoint such PIOs, the Central and state information commissions should exercise the power given to them under section 19(8) (a) (ii) of the RTI Act and "require the public authority" to appoint a PIO for the purpose.

Ordinarily it should be the responsibility of each public authority to ensure that section 4 provisions are fully and effectively being complied with. However, whenever information commissions receive complaints that section 4 provisions are being violated, the commissions should consider using their powers under section 19(8) (b) of the RTI Act and liberally compensate the complainant at the cost of the erring public authorities, who have the option of recovering the amount from the recalcitrant PIOs.

The resultant publicity, that the commission is awarding a generous compensation to all who have filed valid complaints about inadequacies in the suo moto disclosures of a public authority, would ensure a flood of complaints, making it unaffordable for public authorities to ignore the matter.

Recommendation 2: *Section 4(1) (b) (xvii) of the RTI Act includes under proactive disclosures "such other information as may be prescribed". Each competent authority must require the public authorities under their control to analyse, on a yearly or six-monthly basis, the type of information being sought from that public authority, through RTI applications. Based on this analysis, each public authority must, in the short term, put out proactively the sort of information that a large number of applicants are requesting. Each public authority must be able to demonstrate at the end of three months, that they have effectively analysed and identified the most common information needs of the public, as reflected through the RTI applications they have filed, and made this information proactively available. If they do this properly, one result would be a reduction in the number of RTI applications they receive.*

³ See Annexure 10 for some examples.

Within a longer period, say one year, each public authority should be able to demonstrate that they have proactively put out all the information under their control that is not exempt or private, as defined under the RTI Act. Inasmuch as there is considerable public expenditure involved in servicing RTI applications (at least in terms of person time), public authorities who fail to do all that is required to minimise their work load (at the same time making life easier for the public) must be made accountable for the consequent waste of public resources. Their effectiveness at proactively putting out all information that is not subject to any restrictions in disclosure, should be assessed annually by their competent authorities and their appropriate governments, by the auditors, and of course by the public.

Recommendation 3: *Given the picture that this analysis of RTI applications has thrown up, it is high time that the provisions of the Manual of Office Procedures, and other similar rules, are reiterated by the competent authorities to all their public authorities and the staff therein, stressing the importance of timely acknowledgements and responses and the need to provide feedback and updates to affected members of the public. Any violation of these norms should be punishable, in keeping with the spirit of the RTI Act, and erring officials should be proceeded against under the existing service and conduct rules.*

There should be a requirement that complaints in this regard, the action (or lack of it) taken on these complaints, and the reasons thereof should be put in the public domain so that where public authorities do not act promptly and appropriately on such complaints, the public can hold them accountable. Of course, the assumption would be that adequate staff and facilities are provided to reasonably comply with the laid down norms.⁴

Subjects on which information was sought

Thirty four percent (34%) of the RTI applications asked what action had been taken or was proposed to be taken on decisions, issues, complaints, requests, applications, etc. 27% of the applications were seeking information about financial and public resources, 22% about human resources, and 20% about the status or findings of enquiries and investigations. Apart from these, the subjects that attracted the most RTI applications included details of norms existing or prescribed (19%), details of schemes, benefits, concessions, and privileges (16%), basis of decisions (12%), and regarding delays (4%)⁵.

The form in which information was requested

Though various public authorities and information commissions have chosen to interpret the law to mean that applicants can only ask for records and documents, actually a majority of the applications in our sample asked for a response⁶ (68%), with only a 44% asking for document, with

⁴ Once “The Right of Citizens to Time-bound Delivery of Goods and Services and Redressal of their Grievances Bill” is passed and made effective, many of these issues will get covered under that. The standards laid down in the *Manual of Office Procedures* should be considered mandatory under the new grievance redress law.

⁵ Right through the report, percentages mostly do not add up to a hundred percent, either because in each application more than one type of information is asked for, or because some applications get classified under two or more heads. In some cases they are less than a hundred percent because of rounding off.

⁶ In this context a response seeking application would be one where a person has asked the public authority to respond to a query or a question, and not just for a copy of a document. For example, the

a 12% overlap of applications asking for both. Despite this, many public authorities and information commissions have taken a stand that you cannot ask for a “yes” or “no” answer through an RTI application. This has been taken to extreme limits where in one case an applicant asked whether it was true that the Prime Minister had travelled to the USA last year, and if so, asked for a copy of his travel details and the cost of travel. The public authority answered that as the first question asked for required a yes or no answer, it was disqualified, and as the subsequent questions were conditional on the answer to the first question, they were also disqualified. Therefore, no answer.

Consider if the applicant had skipped the first question and asked just for the travel plans etc., of the Prime Minister during his visit to the USA last year. The public authority would have had to respond by saying that no such visit was undertaken, if that was the case, or otherwise send the asked for information. Therefore, what was so objectionable in answering “yes” to the first question in the original RTI application?

Admittedly, where an RTI application seeks to elicit an opinion or judgement from the PIO or the public authority, over and above what is recorded or available in the documents, then this can be legitimately refused, for it is not information “held” by the public authority and the applicant is asking the PIO or public authority to create it. But surely a yes or no answer to a query about the occurrence of an event or the existence of a record cannot be termed illegitimate. At best, if asked whether the PM had made a trip to the moon last year, the PIO can be technically correct and reply that “there is no record available of such a trip”!

Interestingly, only 3% of the applications sought access to file notings, essentially as a part of their right to seek the reasons for a decision, as mandated in section 4(1) (d) of the RTI Act.

Recommendation 4: *Considering the number of applications that are asking for a response rather than for a copy of a document, this issue should be discussed by the information commissions among themselves. The Central Information Commission should take a lead and initiate a discussion so that the law gets correctly interpreted and public authorities do not, with impunity, refuse to honour response-seeking applications in the belief that commissions would uphold their stand.*

Recommendation 5: *The government should now, and once and for all, put to rest their recurrent apprehension that access to file notings provided under the RTI Act would somehow paralyse the functioning of the government. Given that very few people even try and use this “facility” should reassure the government that there is no reason why they should repeatedly try and amend the RTI Act to exclude file notings from its purview. Besides, would they not be better served by ensuring that the civil servants they select and appoint are men and women of conviction who will not shy away from giving an honest opinion just because it could become public, rather than those who are only willing to function behind a veil of secrecy? This is especially so as under the guise of*

application could ask whether it was true that a housing body had announced the availability of houses for sale to the public. Sometimes, apart from asking for a response, there could be an additional request for a document and another response, where for example the applicant could say that if so, please send me a copy of the announcement (document) and also a link (response) from where an application form could be downloaded.

giving honest opinions, secrecy of the deliberative process has often been used to record self-serving or politically convenient opinions that are rarely in public interest.

Information about people and about geographical and administrative units

Though there have been apprehensions that the RTI Act, 2005, was mainly being used by civil servants to access information about their service matters, our sample contained only 5% applications which were about service matters of the applicants. Similarly, only 15% were seeking information relating to personal matters of the applicant herself, and another 3% about family members of the applicant. A bulk of the applications were about one or more public authorities (26%), followed by information about specific villages or groups of villages or sub-districts (10%). Specific locations (17%) and specific localities (4%) were other popular subjects.

Unfortunately, there was hardly any application seeking information from private bodies, explicitly or implicitly using provisions for section 2(f) (<1%). The few cases that were seen mostly asked for compliance or other performance reports that private bodies were in any case required to submit to the government.

Recommendation 6: *The government and other stake holders, especially people's movements and the media, must significantly raise the level of awareness of people about their right to access information from any private body (including the private sector corporate house) that the government can access "under any other law".*

Recommendation 7: *The competent authorities also need to make specific rules to facilitate the seeking of information from private bodies by the public. The rules must clearly lay down the obligations of the concerned public authorities and private bodies, and specify the procedures that need to be followed to process applications demanding information from private bodies under section 2(f).*

Recommendation 8: *The appropriate governments should periodically inform the private sector about their obligations under section 2(f) of the RTI Act, as most of them are unaware of this and think the provisions of the RTI Act apply only to the government or other bodies "substantially funded" by the government.*

Recommendation 9: *The appropriate governments should also bring out a guide indicating what types of information can be accessed from what types of private bodies under what provisions of which "any other law". This would greatly help the public in using the RTI Act to access information from the private sector, thereby significantly increasing their accountability. NGOs should be encouraged and supported to set up "information clearing houses" for facilitating public use of section 2(f).*

Charges of misuse against the RTI Act, 2005

None of the charges made by critics of the RTI Act were borne out by the findings of this study. Mainly they charged that the RTI Act was being widely used to file applications that were:

- vexatious;
- frivolous;
- requiring voluminous response;
- infringing privacy;
- seeking information covering a long time span.

Our findings indicate that less than 0.6% of the applications were conceivably vexatious or frivolous, or sought to infringe privacy (and the RTI Act has adequate provisions to safeguard privacy). Only 2% required voluminous responses, and many of these were asking for information that should have been put out pro-actively under section 4(1) of the RTI Act. Again, only 1% sought information that covered a long time span (over 10 years). We doubt if there are many other laws in India which are misused so infrequently.

Recommendation 10: *The Government of India (and other appropriate governments) should abandon their efforts to somehow make the people of India believe that the RTI Act is being extensively misused. It is especially regretful that they even advised the former Prime Minister to say so in at least three of his speeches to a gathering of information commissioners from across the country and other very distinguished guests. Such efforts only spread misinformation and disaffection and significantly harm the efficacy of the RTI Act.*

Profile of Applicants

We could deduce only two things about the profile of the applicant from the application. One, whether the applicant was male or female (essentially from the name), and secondly whether they were from a village, a town or city, or a metropolitan area. We could not reliably deduce other important information, for example their economic status, their educational background, or even their profession.

However, the information that we did manage to deduce presented a mixed picture. The depressing bit was that a majority (94%) of the applicants were men, with only 6% being women.

The good news was that even though our sample was biased towards urban areas, 24% of the applicants in our sample lived in rural areas, and hopefully the proportion of rural applicants will improve over time.

Recommendation 11: *The government and various stake holders must immediately analyse the reason why so few women are using the RTI Act: perhaps because awareness levels are low, because in India men rather than women have historically dealt with the government and the bureaucracy, because literacy is low, or perhaps because there is a threat perception. Whatever the reasons, they must be investigated, and appropriate remedial measures taken.*

Length of RTI Applications:

Another myth that was liberally propagated was that a large number of RTI applications were very lengthy and wasted a lot of time of the public authority, so much so that many states has prescribe a word limit of 150 words, and the Government of India a word limit of 500.

Accordingly, we counted the words in each of the applications in our sample, and the national average came to 119 words!

1. INTRODUCTION

1.1 Background to the Study

As a part of the RTI assessment initiated by RaaG⁷ in 2008, RTI applications were filed in 10 states, the union territory of Delhi, and with the Central Government, asking for details about, and copies of, the RTI applications filed by the people of India in 2005-08, in the first three years of the operation of the RTI Act.⁸ These applications covered not only national ministries and departments, but state and district level public authorities.

Accordingly, over two hundred identical RTI applications were filed⁹ with public authorities across the country, seeking various bits of information and asking for copies of all the RTI applications received by the public authority. There were two objectives for filing these RTI applications.

First, these two hundred odd RTI applications were “test applications” to discover first-hand how easy (or difficult) it was to file RTI applications, get an acknowledgement, get all the information asked for, and get it in time. Where the application was not successful, first appeals and, where required, second appeals and complaints were filed, once again to assess first-hand how effective the first and second appellate system was.

Second, these RTI applications sought information that was required for the assessment. They asked for copies of all the applications received by a public authority and also for copies of first appeals and orders, and details about how many of the applications were responded to, in how many cases the asked for information was provided, and where it was not, what sections of the RTI Act were invoked to deny the information.

As could be expected, the results of the monitoring were mixed with some states and public authorities performing much better than others, and some appellate authorities being more effective than others. These findings are discussed elsewhere.¹⁰

Though we filed most of our RTI applications in June-July 2008, in many cases we had to file second appeals with the Central and various state information commissions. Given the prevailing backlog and delay in many of the information commissions, many of our appeals were pending even as our assessment came to an end in 2009, with some pending right up to 2014.

⁷ Initially supported by Google.com. Details at <http://rti-assessment.org/>

⁸ One possible limitation of this study is that the applications being analysed are somewhat old. As things might have changed – got better or worse – we have already launched the next phase where applications from 2013-14 are being analysed. As soon as those findings are in hand, they will be appended to the findings of this study and the difference over time, if any, determined.

⁹ Copy of application at Annexure 3.

¹⁰ *Safeguarding the Right to Information: Report of the People's RTI Assessment*, RaaG 2008 - available at <http://rti-assessment.org/>

1.2 Rationale for the Study

Though the applications used for this study were filed as a part of the People's Assessment of the RTI Act, 2005, initially we did not analyse the over 14,000 applications received from 10 states and one union territory, and from the Central Government. However, the speech delivered by the then Prime Minister of India, on the occasion of the annual conference of information commissioners, in 2012, acted as a catalyst.

Among other things, the Prime Minister stated that the RTI Act was being misused to file vexatious and frivolous applications, to intrude upon the privacy of people, and that the Act was distracting government officials and departments from their work because voluminous information covering many years was being asked for. The relevant extract from the speech delivered by the Prime Minister in 2012 is given below.

"There are some obvious areas of concerns about the way the Right to Information Act is being used presently, and I had flagged a few of them when I addressed this Convention last year. There are concerns about frivolous and vexatious use of the Act in demanding information the disclosure of which cannot possibly serve any public purpose. Sometimes information covering a long time-span or a large number of cases is sought in an omnibus manner with the objective of discovering an inconsistency or mistake which can be criticized. Such queries besides serving little productive social purpose are also a drain on the resources of the public authorities, diverting precious man-hours that could be put to better use. Such requests for information have in fact come in for adverse criticism by the Supreme Court as well as the Central Information Commission.

Concerns have also been raised regarding possible infringement of personal privacy while providing information under the Right to Information Act. There is a fine balance required to be maintained between the Right to information and the right to privacy, which stems out of the Fundamental Right to Life and liberty. The citizens' right to know should definitely be circumscribed if disclosure of information encroaches upon someone's personal privacy. But where to draw the line is a complicated question." (Extract from the speech delivered by the Prime Minister of India, Dr. Manmohan Singh, at the 7th annual convention organised by the Central Information Commission, October 12 2012 - <http://cic.gov.in/>).

Given the fact that the Prime Minister of the country, speaking at a conference of RTI commissioners, on an occasion which was generally understood to be a celebration of the RTI Act when ordinarily one would expect the reiteration of a resolve to strengthen it, chose to highlight apparent misuse of the RTI Act, made us believe that these must be very prevalent and critical problems with the use and implementation of the RTI Act. On doing further research, we found that this was not the only occasion on which this particular Prime Minister had raised such issues, essentially to highlight what he believed (or, more likely, was led to believe) were the main ways in which the RTI Act was being misused. This was also done at least on two earlier such conventions, in 2011 and 2008, where he had expressed similar misgivings.

Interestingly, soon after the Prime Minister's speech of October 2012, some RTI activists filed an RTI

BOX 1

'FRIVOLOUS RTI PLEAS' IS A FRIVOLOUS ARGUMENT

PMO has not received any frivolous RTI application in last five years

DANISH RAZA | NEW DELHI | MAY 04 2011

Nailing the government's lie that it wants to amend the RTI act to discourage vexatious and frivolous applications, five public authorities including the PMO have said that they have not received even a single frivolous application in the last five years.

To the query asking the total number of RTI applications which were considered as frivolous queries, the PMO said, "No categorization is being made as frivolous applications."

While the DoPT said that it did not have any information on frivolous applications.....

The issue of frivolous applications has been a matter of debate since the introduction of the transparency act in October 2005.

The civil society is of the view that it is not possible to define 'vexatious' and 'frivolous' in terms of RTI applications and the provision will be misused by the public authorities to withhold information.

Extracted from <http://www.governancenow.com/news/regular-story/frivolous-rti-pleas-frivolous-argument>

application with the Prime Minister's Office asking for the facts and data on which the Prime Minister had based his remarks that the RTI Act was being used in these various negative ways. Surprisingly, the Prime Minister's Office replied that they had no such records¹¹. A similar query in 2011 had evoked a similar response (see Box 1). This made us think that once and for all somebody should examine whether the concerns being expressed again and again by the Prime Minister, in his various speeches, are real and based on facts, or whether he is being misled by those vested interests who want to cripple, perhaps kill, the RTI Act.

Undoubtedly, it was the government headed by this very Prime Minister that had enacted the RTI law in India: a law that has been internationally adjudged as being among the strongest in the world. Therefore, there was no doubting his support for the cause of transparency. Also, most other parties, with the exception of the Left parties, had shown little enthusiasm for the RTI Act and therefore the Congress party, to which the Prime Minister belonged, continued to be the main champion of the RTI Act.

Most likely, his speeches represented the thinking of elements within the bureaucracy and some of his ministerial colleagues, who felt threatened by the RTI Act. ***The important issue here was to force governments to check their facts before they made generalised statements, especially when these statements were unfairly critical.***

Of course, it was not only the former Prime Minister who raised these issues, but even the present Prime Minister, Shri Narendra Modi, had not spared the RTI Act while campaigning for the elections (see Box 2).¹² Perhaps Shri Modi was not aware of the role that the RTI Act was playing in ensuring

¹¹ No records to back Manmohan's RTI concerns: PMO, Times of India, December 3, 2012- <http://timesofindia.indiatimes.com/india/No-records-to-back-Manmohans-RTI-concerns-PMO/articleshow/17457804.cms>.

¹² Also see <http://indianexpress.com/article/india/politics/in-karnataka-modi-targets-upas-aadhaar-rti/>

that an increasing number of people got their wages under the NREGA and other programmes, and their rations under the public distribution system (PDS).

Apart from present and past Prime Ministers, many other critics and even some well-wishers of the

BOX 2

RTI: DESTINED TO BE CONDEMNED BY ALL PRIME MINISTERS?

The present Prime Minister, Narendra Modi, while Campaigning in April, 2014, had also lashed out at the RTI. According to one report:

"Seeking to pick holes in Rahul Gandhi's frequent talk about RTI, he said 'has RTI given you something for your stomach to eat? The black money which has been stashed away, has it come back? In 2G scam, where have crores of rupees been gobbled up - has that booty come back?"

"Does anyone lock up coal ... This Delhi government loots coal. People talk about looting of coal but he (Rahul) says please take RTI. They (Congress) make fun of poor people. They don't want to free the country from corruption. Shouldn't the black money be brought back to the country or not? Modi said."

RTI Act had raised these and other similar issues.¹³ It, therefore, became all the more important to examine the empirical basis for such criticism, as there were at least two concerted efforts to amend the RTI Act to seemingly address one or more of these and other related issues. Fortunately, both these attempts, one in 2006 barely a year after the passing of the Act, and another in 2008, were not successful. The failure of these efforts of the government was at least in part due to the protests and public mobilisation by people's movements and, in part, because of the support by the media and some of the political parties.

We therefore decided to analyse a sample of the RTI applications available with us to see what proportion of them were frivolous, vexatious, invasive of privacy, demanding large amounts of useless information, and generally disrupting the business of governance, and to what extent.

1.3 Specific Objectives

The study hoped to provide some answers, based on an empirical analysis of RTI applications, to the following questions:

- What proportion of the applicants were women?
- What proportion lived in villages, and what proportion in towns and metros?
- How long were their RTI applications?
- What was their tone and style? Were they vexatious, frivolous, unclear, or seeking a voluminous response?

and <http://www.thehindu.com/news/national/modi-tears-into-upa-claims-on-mnrega-rti/article5887687.ece>

¹³ For example: "RTI Act being misused to settle personal scores: CIC", *Indian Express*, May 26, 2009.

<http://archive.indianexpress.com/news/rti-act-being-misused-to-settle-personal-scores-cic/466272/>

"Right to Information good law, but being misused: S H Kapadia", *Times of India*, April 13, 2012.

<http://timesofindia.indiatimes.com/india/Right-to-Information-good-law-but-being-misused-S-H-Kapadia/articleshow/12642471.cms>

"Central panel cautions against misuse of RTI Act", *Deccan Herald*, July 6, 2006.

<http://right2information.wordpress.com/2006/07/06/central-panel-cautions-against-misuse-of-rti-act-public-access-to-govt-information/>

"RTI law being grossly misused, says former CJI Balakrishnan", *Hindustan Times*, October 29, 2010.

<http://www.hindustantimes.com/india-news/newdelhi/rti-law-being-grossly-misused-says-former-cji-balakrishnan/article1-619545.aspx>

Empowerment Through Information - II

- How many applications threatened people's privacy, or just complained, or asked for help rather than for information?
- In what form did they want information (responses, documents, inspection, samples, file notings, etc.)?
- Was the information asked for about people, or about public authorities, or private bodies, or about other administrative or geographical entities?
- If about persons, did the information asked for pertain to the applicant, the applicant's family, her service matters, or was it about other people?
- What sort of information did they want? Was it about decisions, the basis of decisions, delays, lapses, norms, enquiries, finances, and other such?
- How much of the information being asked for should have in any case been made public or provided without being asked for, or without the use of provisions of the RTI Act?
- And, finally, what were the variations, if any, statewide, for all these and other such parameters?

We quickly realised that the task of analysing even a small sample of the applications with us was a daunting one as the applications were in many languages and dealt with a variety of topics. Nevertheless, in November 2012 we took up the task and, as there were other bits of important and useful information that could be extracted from these applications, we developed a format which ultimately sought to collect over 80 bits of information from these applications.

The initial version of this format was somewhat smaller, only attempting to gather about 40 bits of information, and we did a preliminary analysis of about 1000 applications and presented the results in a draft report at the workshop organised by the Transparency Advisory Group (TAG) in Bangkok, in January 2013. Based on the feedback, we revised and expanded the format to its current form.¹⁴

As a first objective, we tried to develop a profile of the applicant by analysing the application. We determined in most cases what the gender of the applicant was (mostly from the applicant's name – with the understanding that as there might be some men with names usually used by women, similarly there will be some women with names usually used by men). We also determined whether the applicant was from a village, from a town or city, or from one of the four metros in the country.

Next, we recorded the characteristics of the application, specifically to what public authority it was addressed, the date, whether it had a single or multiple signatory, whether it used a letterhead, its length in words and how many pages of annexures it had.

We also tried to determine whether the information being asked for related to the applicant and her family, to the applicant's service matters, or was it about somebody other than the applicant and the applicant's family. We tried to capture whether the information being asked for was about an individual or about a group or community, and whether it related to one or more than one public authority, or to a private body.

An effort was also made to capture the scope of information being asked for in terms of whether it was about a specific location, a village or town, a group of villages, a district or group of districts, a state, a region, or the whole country.

¹⁴ Full format at Annexure 5.

Perhaps the most challenging set of questions that we tried to answer through the analysis of these applications were: What types of information were being asked for? Was it the type of information that should proactively have been made public, and available even if there was no RTI Act? Was the applicant essentially seeking an acknowledgement, response, or status report of the sort that should have been communicated to her without her having to file an RTI application?

We analysed the applications to determine whether the applicants were seeking information about norms, delays, decisions, the basis of decisions, lapses and discrepancies, possible benefits and privileges, or about concessions, exemptions, licenses, and permissions given. We also tried to capture whether the information being asked for was about jobs and promotions.

The subjects on which information was sought were also captured, determining whether it was about financial and economic matters, about public resources, about natural resources, human resources, and other material or physical entities. Applications were also classified in terms of whether they were about enquiries and investigations, about examinations, and a host of other things. Of course, the subjects covered by the applications we analysed were restricted by the fact that our sample was limited to five departments at the state and district levels and 10 ministries at the Central Government level. Therefore, though this analysis is indicative of what the most sought-after information among the departments in our sample was, it could not be used to determine the relative interest in information held by other departments, like those of health or education, which were not a part of our sample.

Also identified was the form in which information was being sought: whether as a response, as copies of documents, through inspection of documents, sites or objects, through samples, through “file notings”, or as electronic copies, whether what was being sought were statistics and data, and whether information was being asked for in a prescribed format.

Finally, we also tried to assess whether applications were vexatious, frivolous, not clear, requiring voluminous responses, infringing privacy, or covering a long time span. We also classified those applications which were technically not RTI applications, but were either complaints, expressions of grievances, or just simply pleas for help.

1.4 Methodology

The major challenge in developing a methodology for this study was that we were not able to find any other study done in any country that analysed a large number of RTI applications. Therefore, the framework and methodology for analysis had to be constructed from scratch.¹⁵

¹⁵ For a detailed description of the methodology, please see Annexure 2.

Sample

From the copies of 14,000 RTI applications received as a part of the RaaG Study,¹⁶ initially we randomly picked a sample of about 5000 applications, with the assumption that we would analyse 375 applications from each of the 10 states and one union territory, and another 1000 from the Central Government. Our sample size was mainly determined by the need to ensure that each state had a similar (if not identical) representation in the national sample, and our initial assessment suggested that we would have available at least 375 applications from each state.

BOX 3: SAMPLE SIZE	
AP	262
ASS	259
DEL	301
GUJ	190
KAR	344
MAH	271
MEG	333
ODI	317
RAJ	223
UP	304
CENTRAL	1017
TOTAL	3821

As things turned out, our initial count of the applications was not accurate as many of them were in regional languages that we could not read and what we had counted as separate applications turned out to be annexures or copies of responses to the applications, or even related correspondence like forwarding the application to other PAs or PIOs. We only realised this when we got back the translated versions.

As things stand, we were finally able to build a random sample of 3821 applications (Box 3), from a strata of nine states, one union territory and the Central Government, having to drop West Bengal as copies of only 13 applications were received from there, despite numerous first and second appeals. The final sample size was also partly determined by the need to ensure that no public authority disproportionately dominated the sample, and thereby the variation in the number of applications from each state.

We also recognised that a proper analysis of these applications, a large proportion of which were in regional languages, was a laborious and time consuming task, and as it is, the analysis of these over 3000 applications, along with the collation and double checking of data, took a team of two researchers over a year to complete. However, it became obvious after analysing the first thousand that neither the state nor the national data was changing significantly as we analysed a larger number of applications. This not only demonstrated the representativeness of our sub-sample of 3000 odd from the total of over 14,000, but also suggested that not much would be gained by analysing another two thousand applications, as was initially proposed.

It was decided to have a sample of 1000 from the Central Government partly because they received applications from all over the country, and partly because we had sought applications from 10 different public authorities from the Central Government, as opposed to only five from the states. From each state we decided to include between 250 and 350 RTI applications, depending on the number we needed to maintain a balance between the various public authorities.

Limitations of the methodology

Though our original sample of public authorities was a representative and well balanced one, many of the public authorities we sent RTI applications to did not respond and we either lost our appeals or, in some cases, they are still (after five years) pending. In a few cases, even after the information

¹⁶ <http://rti-assessment.org/>

commission ordered the provision of copies of the RTI applications, the public authorities did not respond. As a result, the RTI applications received do not properly represent the entire sample.

Another problem was that in some cases each public authority forwarded our RTI application to many of their offices and asked each one to respond directly to us. As a result, though we sent out only 200+ applications, we finally had to deal with 500+ public authorities and file appeals etc., against each of them separately. However, one result of this was that often we would receive a response and copies of RTI applications from only one or a few of the offices of a public authority, and they would then be considered representative of the entire public authority. For example, the Delhi Police forwarded our application to 26 of their offices, yet we received copies of applications from less than 10. It is difficult to judge whether the applications received from these ten are representative of the whole of Delhi Police.

In other cases, we were not sent a list of how many subsidiary offices the RTI application was forwarded to, and as such have no idea what proportion of the PA is represented by the responses received.

The fact that we only looked at five of the many departments in a state, and ten of the many ministries at the Centre, also created the possibility of some distortions. One such possibility is in the findings related to the poor participation of women in the filing of RTI applications. Our sample was dominated by three departments that mainly male members of the family interact with, specifically the police, the revenue department, and the public works department. The fourth department in the sample, namely the rural development department, also could be expected to have major male interaction and only the fifth sample department, women and child development, would possibly be dominated by women applicants. An analysis of the applications sent to the women and child development department showed that 10% of the applicants were women. However, as the number of applications was very small (just 181 out of the total of 3821), the final figure was just 6% for women applicants.

The findings might have been somewhat different if we had, as a part of the sample, departments such as health, or education, or civil supplies, where there was likely to be much greater participation of women.

2. FINDINGS

This section contains our analysis and findings of the aggregated national level data. Along with the tables containing aggregated national level data, where appropriate disaggregated state level data is also given, in percentages, regarding each of the parameters discussed.

Disaggregated state level data for all these parameters is available in the tables in Annexure 1.

2.1 Problematic RTI Applications

Considering, as described earlier, the major trigger for this study was the repeated criticism by the then Prime Minister of India alleging that the RTI Act was being misused in certain specific ways, we first looked at our sample of applications from about 120 public authorities across nine states¹⁷, the union territory of Delhi, and the Central Government, to identify problematic applications of various types. In his various speeches the Prime Minister had identified several “problems” with the types of RTI applications that were being filed. Specifically, he identified the following types of problematic applications:

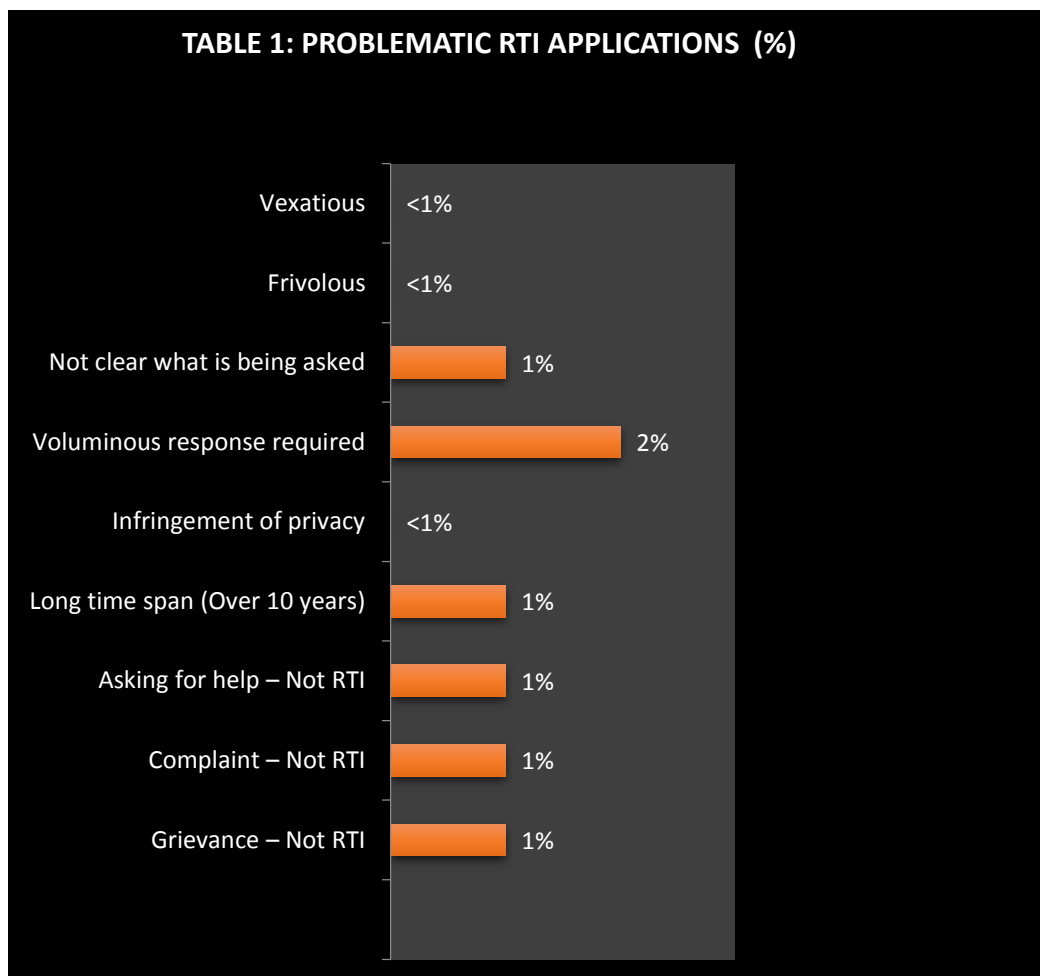
- i. Vexatious
- ii. Frivolous
- iii. Requiring voluminous response
- iv. Infringing privacy
- v. Seeking information covering a long time span
- vi. Those flooding public authorities and diverting their resources without any bearing on public interest
- vii. Those seeking information about the deliberative process of decision making and thereby inhibiting public servants from expressing their views freely and frankly

Apart from these, there were a few other charges against the RTI Act and its functioning, levelled by various other people, which called out for empirical verification. We also decided to investigate some of these, including applications that:

- viii. Were unclear in their language or expression, making it difficult to understand what information they were seeking
- ix. Registered a complaint or a grievance rather than asked for information. These were “applications” which actually did not apply or ask for any information, but just used the RTI route to try and register (and bring to the notice of the public authority) a complaint or a grievance. They are contrasted from many other actual RTI applications which actually asked for some information, even though the information asked for was such that it both brought to the notice of the public authority that there was a cause for a complaint or a grievance, and asked for information that could help establish such a cause. See table 5 for statistics about how often such a strategy would work.
- x. Asked for help rather than for information
- xi. Were very lengthy
- xii. Asked too many questions or about too many different topics in a single application

¹⁷ See Annexure 2 for details of methodology and sampling.

Our statistical findings relating to some of these issues are given in Table 1, which gives percentages out of a total universe of nearly 4000 applications. Details about our findings are given separately for each head, with examples and cases, wherever appropriate.



Vexatious applications

While looking for vexatious applications, our first problem was to understand what exactly was meant by the term “vexatious”. Though the term was often used to describe and denigrate RTI applications, we could not find an generally accepted definition. In any case, those who had used it in the context of the RTI Act, notably the former Prime Minister and the Second Administrative Reforms Commission,¹⁸ had not defined it. We, therefore, decided to classify those applications which used foul language, made threats, or made seemingly unfounded allegations, as being vexatious: understandably vexing the PIO who received them.

Using this definition, the researchers analysing the applications were hard pressed to find any that could even vaguely be termed as vexatious. After a lot of effort and searching, less than 20 applications were adjudged as possibly being vexatious. Box 4, and also Annexure 6, contain summaries of some of the applications that were judged as vexatious. As you will see, they contain nothing earth shattering and hardly deserve the repeated Prime Ministerial mention that they are getting.

¹⁸ *Ethics in Governance*. 4th Report of the Second Administrative Reforms Commission. January 2007. Recommendation 20. Summary of Recommendations: Pages 173-194. <http://arc.gov.in/>

Given the fact that there has been a growing folk narrative about vexatious, frivolous, or voluminous RTI applications, we were very surprised at our findings. We can only assume that two factors were responsible for this disinformation, as they perhaps were for the false belief that the RTI Act was being mainly used by civil servants to access information about their service matters.

First, perhaps, was the power of the anecdote. So a PIO might deal with hundred RTI applications in a month, but she is rankled by, and remembers, the one that was vexatious, or frivolous, or sought a voluminous answer. She talks about it to her colleagues and friends (over lunch), and they similarly relate their own such experience (again perhaps one in a hundred), but this slowly grows into the dormant folk narrative.

Second, many of these folk narratives gain credibility and spread like wild fire, if they are endorsed by

BOX 4

Vexatious application 1 to Karnataka Police: Asks why his earlier email RTI applications have not been responded to. Adds: "PS: The evil elements seem to be getting a lot of support from the police. I am thinking of informing the Central Home Minister how internal enemies are undermining democracy in India". This is the vexatious bit!

Vexatious application 2 to Assam Revenue Department: The applicant, while berating a public authority for not heeding to the order of the information commission for five months, calls an official of the public authority "corrupt and communal".

"high ranking" information commissioners. This study dealt with only RTI applications, but in separate studies where we have been analysing appeals and complaints to information commissions, we find that there is a great chance of vexatious, frivolous, and voluminous applications being denied the asked for information at the PIO and the first appellate level. Therefore, the proportion of such applications reaching the commissions, in comparison with those that are problem free, changes and a larger proportion of the appeals and complaints contain such problematic applications. Added to that, people emotionally motivated to file an RTI application (in order to settle scores, or expose someone they dislike, or harass the PIO) are usually those who have the time and resources to indulge in this vendetta and the motivation to take it up to the information commission.

Therefore, even if we assume that 0.5% of the original applications were problematic, and half of them have reached the information commission, considering that as an average only five percent of all the applications reach the second appeal stage, the proportion at the information commission becomes 10%. The rest is done by the power of the anecdote, described earlier.

On the other hand, we found many applications that were very servile in their approach to the authorities, even when it was clear that the applicants were the victims and that what they were asking for was nothing more than their right (two examples in Box 5).

BOX 5

Here is an example of an excessively polite and servile RTI application regarding why she has still not got a job she was selected for eleven years back!! How many of us would have such patience and restraint?

RTI Application dated **20 June, 2007** to the Assam Rural Development department:

"Sir, With due respect and humble submission I have the honour to lay before you the following few lines for favour of your kind consideration and sympathetic necessary information.

"That sir, in the year 1996 I had appeared in the interview ... for ... *gram sevika*.

"Sir, in the said interview I came out successful and my name was listed in the panel of the selection list."

(She was asked to submit her particulars in 1997 and in 2000, which she did)

"Since the year 2000 I am in dark about my appointment and no information has been received from the side of the department. So, I am very much anxious to know about the aforementioned selection list and the present position of my appointment in the said post.

"I, therefore, fervently pray that your honour would be kind enough to enquire about the fate of my said selection list and inform me accordingly under Right to Information Act as early as possible for the sake of justice and oblige."

Miss X (name withheld).

Here is another example about a constable in the Railway Police Band who has not got promoted for many years: RTI Application dated 31 March 2008

"With a very heavy heart, tearful eyes and folded hand I beg to appeal in regard to the above subject (Denial of my legitimate claim for promotion..) with earnest hope and belief what (sic) the same will receive kind perusal, consideration and due justice please.

.....

"Sir, finding no other way for the justice I am knocking the door of your good office with belief that I would get the appropriate orders from your end and oblige."

Clearly, the people of India have not yet internalized the meaning of a right and the more general flavour of democracy, where the government is obliged to respect your rights without being asked, and where a citizen never has to plead for her rights.

BOX 6

SHOULD SHE NEED TO "APPLY" FOR THIS INFORMATION

RTI Application: The applicant's husband had abandoned her as soon as she gave birth to a male child, taking the child with him, because she is a "disabled" (differently-abled) woman. He also re-married. Subsequently, she filed a case for maintenance. For the same, the court levied an alimony charge on him, which he didn't pay, didn't show up before the court and thus had a non-bailable warrant against him. However, since then she does not know what has happened. She is filing the RTI to ask for a copy of the NBW issued against her husband, and enquire about the status of investigation at present, and the reason for the delay.

It was also touching, and sometimes heart breaking, to see the types of information some of the people were forced to seek, and the desperation of the circumstances that forced them to seek this information (see Box 6 and 7).

Given the data that is emerging, and if the current sample is at all representative, one begins to wonder why the government, and the then Prime Minister, made so much of the allegation that

BOX 7: A CRY FOR HELP

The applicant submitted copies of an application on 24/3/2007 and 13/9/2007 to the SP, on 27/7/2007 to the district officer of Azamgarh, which was forwarded to SDM, former CM, and to the SHO of Maharajganj respectively. She now asks for the dates serially on which her application was sent to the aforementioned people, for how long it remained with each officer and action taken by them. She also asks whether any crime has been registered against herself, and if so, wants the name, designation and address of the investigating officer and a copy of the registered crime. Wants to know why the police have compelled her to leave her home, and asks for the name, address and designation of the officer who will take action against persons found guilty and who will also give her justice. [UP/AZA/POL/2007/HINDI: SU0046]

“vexatious and frivolous” applications were being filed. In using the one law that empowers the people against the government, the people of India have shown great restraint and dignity. One wonders if the government can point out even one of the many laws that empower the government against the people, where the government has shown similar restraint.

Frivolous Applications

It was even more difficult to find frivolous applications. The term “frivolous” was also undefined and

BOX 8

A FUNNY ONE

RTI application to the Central Forensic Science Laboratory, Home Ministry: The applicant wanted to know the impact of firing a 315 (bore) gun from 150 feet on a man and on a steel seat! But are we sure it is frivolous?

was not easy to define in the context of the RTI Act. We finally decided to classify those applications as frivolous where it seemed that the applicant was not seriously seeking information but either being silly, trying to be funny, or using the RTI not to access useful information but to clearly serve some other purpose. But, strictly speaking, it was almost impossible for us to be certain whether the applicant was seriously trying to seek information or was just trying to be funny. Similarly, if the right to information was a fundamental right, should we be concerned about whether a piece of information has a purpose or can be of any use to anyone. Besides, how do we know to what use innovative minds might put any bit of information

(for examples, see Boxes 8 and 9).

Of the total of six that were finally categorised as frivolous, one was filed by a well-meaning friend of a government employee who wanted to know why his friend hadn’t been sent on a foreign trip while others junior to him in his department had. Frivolous though it might be, it was heart-warming.

Requiring a Voluminous Response

About 2% of the RTI applications in the sample (Table 1) required what was obviously a voluminous answer. There were two types of applications that qualified for this tag. First, those that asked a huge number of questions which collectively made the required response voluminous, and second those that asked for a large number of documents or data relating to any one or more of the questions.

The RTI Act does not specifically allow the rejection of an application on the grounds that it is seeking voluminous information. The only relevant exemption it contains is section 7(9) that says:

“An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.”

The Department of Personnel and Training, which is the nodal department of the Government of India

BOX 9

SWEEPING CORRUPTION

An RTI application was received by a municipality asking how many brooms were purchased for the sweepers in a particular area during the last year. This was considered to be a frivolous query by the public authority who argued that such information could be of no possible use to anyone. However, at the intervention of the appellate authority the asked for information was finally provided. A little later, the applicant filed a complaint with the public authority demonstrating that even if all the sweepers in the said area (he had got the number through another RTI application) swept 24 hours non-stop for 365 days, they could not get through even half the brooms that were reportedly bought for them last year!

for the Right to Information Act 2005, has even issued an office memorandum “interpreting” this section of the RTI Act – it is debatable whether they have the power to interpret a law passed by Parliament. Ordinarily this would be a function of the information commissions and the higher judiciary. Nevertheless, in a memorandum dated 10th July 2008 they have given their own clarification (see Box 10).

BOX 10: EXTRACT FROM DOPT OM NO.11/2/2008-IR DATED 10TH JULY 2008

It has been observed that some people under the Right to Information Act, 2005 request the Public Information Officers (PIO) to cull out information from some document(s) and give such extracted information to them. In some cases, the applicants expect the PIO to give information in some particular proforma devised by them on the plea that sub-section (9) of Section 7 provides that an information shall ordinarily be provided in the form in which it is sought. It need be noted that the sub-section simply means that if the information is sought in the form of photocopy, it shall be provided in the form of photocopy and if it is sought in the form of a floppy, it shall be provided in that form subject to the conditions given in the Act etc. It does not mean that the PIO shall re-shape the information.

However, when one analyses the applications that were asking for such voluminous data then it becomes obvious that most of them (82%) were seeking information that should have been available

proactively or *suo moto*. Totally 72 applications were assessed to be asking for a voluminous response, and 59 of these were asking for information that should have been *suo moto* in the public domain.

A lot of the applications seek details of expenditure incurred by public authorities, schemes being run by them, work done, staff and salaries, and various documents related to these. A careful examination would show that most of the information being asked for is required to be proactively made available under section 4(1) of the RTI Act.

Where the information asked for has already been proactively made public either on a website or in the form of a publication, the job of the PIO is easy and all that the PIO has to do is refer the applicant to the website or the publication, and offer to provide copies of both on the payment of requisite prescribed fee. Essentially, this saves the PIO the trouble of having to gather together all this information, and even where the applicant wants a copy of what is already on the website, as she is entitled to, all the PIO has to do is to print it out and the amount chargeable for copies, as prescribed in the RTI rules, is more than adequate to cover the cost.

Where the required information, despite the requirement under section 4(1), has not been made available proactively, the public authority has no one else to blame but itself. Unfortunately, there is no specific provision in the RTI Act that can penalise the concerned public authority for not complying with section 4(1), and this leaves much to be desired in the level of compliance.

Infringement of Privacy: This is a strange charge to make against the RTI Act. Though it is true that there are no specific exemptions in the RTI Act for applications which might be vexatious or frivolous, there are specific exemptions relating to privacy. Section 8(1) (j) and 11(1) of the RTI Act state:

“8. (1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen, —

.....

(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:

.....

11. (1) Where a Central Public Information Officer or a State Public Information Officer, as the case may be, intends to disclose any information or record, or part thereof on a request made under this Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Central Public Information Officer or State Public Information Officer, as the case may be, intends to disclose the information or record, or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information:

Provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party."

Clearly, these provisions are more than adequate to protect the privacy of citizens, especially if diligently applied, and our assessment of data concerning reasons why information was denied, or even relating to appeals to the information commissions, suggest that if anything these provisions are being applied very vigorously and perhaps more is being denied than was ever envisaged by law or Parliament.

There are many cases where PIOs and even appellate authorities and information commissions have denied information just because it is third party, even when it was not "treated as confidential" by the third party, and without giving the required notice to the third party, or simply on the say so of the third party. Despite all this, "invasion of privacy" continues to be a charge against the RTI regime!

In any case, we tried to identify those RTI applications that were seeking information that could be considered exempt under section 8(1) (j) and found very few (less than 1% - see Table 1). However, we did not have the data to determine whether these were rejected or whether information was provided in some or all of these cases, even though it should have been denied at least in some of these cases. Even assuming that in some of the cases where information should have been denied, it was not, that can hardly be blamed on the RTI Act.

Some examples of RTI applications asking for information that might be considered private are given in Annexure 7.

Seeking Information Covering a Long Time Span

Only about 1% of the applications in the sample sought information about a long time span, specifically over 10 years (Table 1).

Section 7(9) specifically provides for the public authority supplying information only in the form that it is available, if supplying it in the form asked for would "disproportionately divert" the resources of the public authority. This provides adequate protection to the public authority to turn down those applications which ask for information or documents over a long period of time, where the asked for information or documents might not be readily available and the collection of which might disproportionately divert the resources of the public authority.

Unfortunately, despite such a provision in the RTI Act, at least one state government (Himachal Pradesh) has made rules specifying that in one RTI application information can be sought for only one year. Apart from the fact that such a rule goes well beyond the RTI law and as such should be struck down as being *ultra vires* of the RTI Act, it also harasses the citizen and creates additional work for the government as, whereas they might earlier have been able to give five years' data in a single reply, they now have to process five different applications and give five separate responses.

Applications Flooding Public Authorities

Perhaps the most significant finding of the study was that over 70% of the applications in the sample were essentially seeking information that should have been provided even without filing RTI applications (Table 2). Over 50% of the applications in the sample sought information that should have been proactively made public either under section 4(1) of the RTI Act or under various provisions of

other laws or policies, or as a part of general practice and common sense. Another 20% basically sought a response to letters, complaints, applications, enquiries, or were attempts to seek a response from the government on matters that were critical to the well-being, future, and sometimes even survival, of citizens and groups of citizens, and should have been provided to them even without resorting to the RTI Act.

In short, over 70% of the applications being received by public authorities, which were allegedly flooding public authorities and keeping them from doing their work, were actually a result of the public authorities not doing their work in the first place and not proactively putting out the information that they were legally required to do, or acknowledging or responding to letters, complaints, applications, enquiries, and even desperate appeals, by a desperate citizenry, for help. Interestingly, paragraph 66 of the Central Secretariat Manual of Office Procedures¹⁹ lays down:

“Prompt response to letters received—

(1) Each communication received from a Member of Parliament, member of the public,

Recognized association or a public body will be acknowledged within 15 days, followed by a reply within the next 15 days of acknowledgement sent.

(2) Where (i) delay is anticipated in sending a final reply, or (ii) information has to be obtained from another Ministry or another office, an interim reply will be sent within a month (from the date of receipt) indicating the possible date by which a final reply can be given.

(3) If any such communication is wrongly addressed to a department, it will be transferred promptly (within a week) to the appropriate department under intimation to the party concerned.

(4) Where the request of a member of the public cannot be acceded to for any reason, reasons for not acceding to such a request should be given courteously.

(5) As far as possible, requests from members of public, should be looked at from the user's Point of view and not solely from the point of view of what may be administratively convenient.”

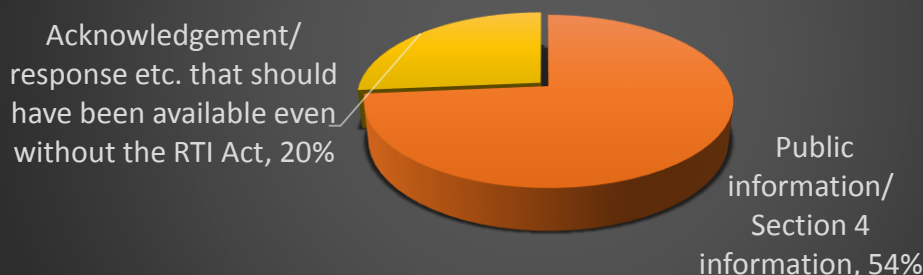
Despite this, nearly a fifth of our sample, over 700 RTI applications, sought to find out what had happened to their letters many of which were sent 10 to 15 years back with numerous reminders over the years. Some of the more dramatic examples are reproduced in Annexure 10.

Though India boasted that in 2012 over 4 million RTI applications were filed in the country, it is shocking to realise that perhaps nearly 3 million of these were such that the information asked for should have been provided *suo moto* (without being asked for). In some cases, these contained requests for information or a response that should have been provided even without the RTI Act.

¹⁹ *Central Secretariat Manual of Office Procedures*, Thirteenth Edition, Ministry of Personnel, Public Grievances and Pensions, Department of Administrative Reforms and Public Grievances. September, 2010. Page 39, paragraph 66. www.darpg.gov.in

In light of this, any protestations by the government that the pressure that the RTI Act is putting on the system is slowing down the work of the government and diverting it from its main job, is hollow. Even a cursory analysis of the RTI applications in the sample shows that a large proportion of them seek to right wrongs done by the government, seek to get action where government has been inactive, or just simply seek to know what decision the government took, what action it took, and why it did all this. Surely this is the very basis of good governance. The state wise breakup, given in the tables below, is also interesting.

TABLE 2: APPLICATIONS SEEKING INFORMATION THAT SHOULD IN ANY CASE HAVE BEEN PROACTIVELY PROVIDED (%)



Unclear Applications

One percent (1%) of the RTI applications analysed for this study were such that we could not understand what information was being sought by the applicant (Table 1). Given the low level of literacy in our country, and the fact that there is very poor awareness of the provisions of the law, this is not a surprising proportion.

The RTI Act anticipates the possibility that many of the applicants might be illiterate or otherwise unable to formulate an adequate RTI application. Therefore, section 5(3) of the RTI Act obligates the PIO to assist the applicant:

Table 3: INFORMATION THAT SHOULD HAVE BEEN GIVEN TO INDIVIDUALS WITHOUT RTI (%)

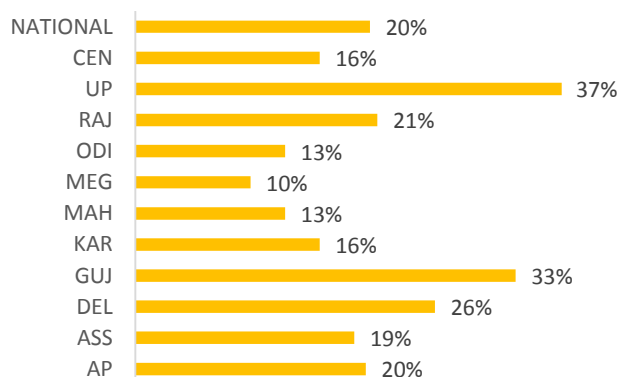
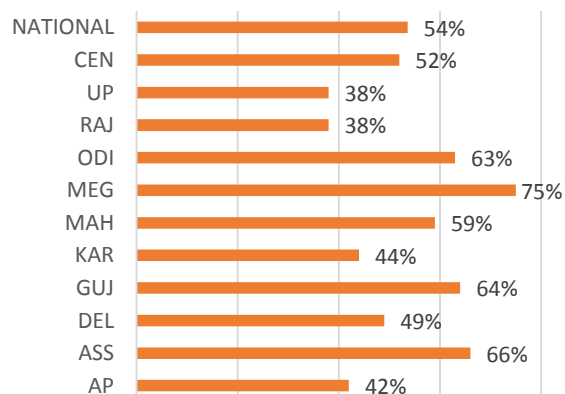


Table 4: INFORMATION THAT SHOULD HAVE BEEN PROACTIVELY MADE PUBLIC (%)



“Every Central Public Information Officer or State Public Information Officer, as the case may be, shall deal with requests from persons seeking information and render reasonable assistance to the persons seeking such information.”

Applications Registering Complaints or Grievances rather than Seeking Information

About 1% of the “RTI applications” in the sample were actually complaints and another 1% were statements of grievances but, as they did not seek any information, they were technically not eligible for a response under the RTI Act, except perhaps to inform the applicant accordingly. For the purpose of this study, we distinguished between complaints and grievances by using “complaints” to classify those cases where an individual or an authority was identified as being deficient in its services and functions, or being guilty of other wrong doing. A “grievance”, on the other hand, was understood to be a case where a deficiency or wrongdoing was pointed out, without identifying who was responsible for it.

Arguably, once “The Right of Citizens to Time-bound Delivery of Goods and Services and Redressal of their Grievances Bill” is passed and made effective, many of these complaints and grievances will get covered under that.

Technically speaking, these were not RTI applications and would ordinarily not have been treated as such for the purpose of this study, except that in all such cases they were classified as RTI applications by the concerned public authorities, who then proceeded to send us copies in response to our RTI application asking for copies of the RTI applications received by them. In some cases the applicants themselves explicitly stated that their letter should be treated as an RTI application, and even enclosed the requisite fee, though they were asking for no information, but seeking to complain or register a grievance.

On the face of it one could dismiss the filing of complaints and grievances as RTI applications to be mistakes committed by members of the public who were ignorant of the law. However, a closer look at some of these applications (see Annexure 9 for some examples) would show that at least in some of the cases it was not so much ignorance as desperation that made these people resort to filing complaints and recording grievances as RTI applications, as a last resort when all else had failed.

Is it the fact that RTI applications are invariably acknowledged, as a fee is involved for which a receipt is issued, and there is a time limit of 30 days within which they must be responded to, failing which the PIO can be penalised, that gives the desperate person a false sense of hope that if she files a complaint disguised as an RTI application, perhaps what has been ignored for many years will finally get noticed? Some of the false expectations might also be a result of the hype that the RTI Act has got in the media.

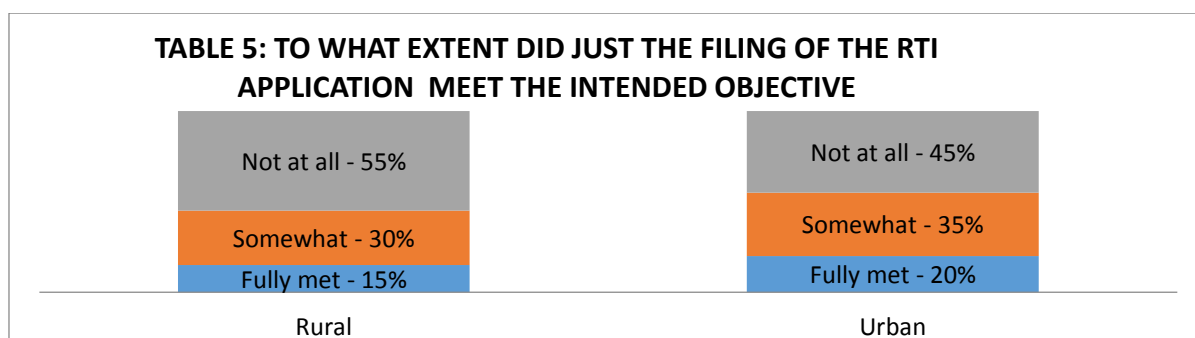
In fact, there are numerous applications (at least 25% of the sample) that ask for information which seems directly or indirectly related to a complaint or grievance. These include applications relating to delays (5%), lapses (7%), and discrepancy in records (1%), RTI applications²⁰ (4%), and non-RTI communications²¹ (6%). However, they are clever enough to disguise their complaints and grievances

²⁰ These are invariably enquiring about why earlier filed applications had not been replied to, or asking for information that was not supplied in response to an earlier RTI application.

²¹ These are invariably enquiring about why earlier communication had not been replied to or acted upon, or asking for information that was not supplied in response to an earlier non-RTI communication.

as requests for information, with questions like: When will the work be done? Why has it not been done as yet? Who is responsible for the delay? What action will be taken against him or her? Most often they are actually complaining and asking for help, but given the limitations of the RTI Act, disguising all this as a query for information. Therefore the small proportion that get classified as complaints and grievances, and not RTI applications, are just those that forgot to disguise themselves.

This seemingly fanciful assertion on our part is supported by some of the findings in the last RaaG study.²² Interviews with RTI applicants across the country established that in 15% to 20% of the cases just the filing of an RTI application, even before the asked for information was received and sometimes even without it ever being received, met with objective underlying the filing of the RTI application – mostly a complaint or grievance (see Table 5).



Source: RaaG 2009

Applications Asking for Help Rather than Information

About 1% of the RTI applications in the sample (see Table 1) explicitly asked for help and assistance from the public authority, and did not ask for any information. Technically these were also not RTI applications, but are being treated as such for the purpose of this study for the reasons detailed in the previous section.

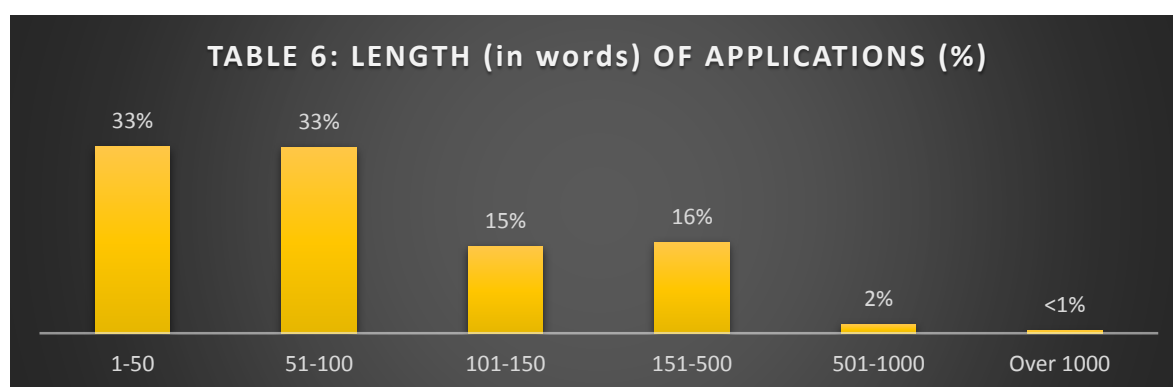
It seemed that asking for help by filing an RTI application was again a last resort, after the citizen had tried all else. There are cases where people have been unsuccessfully trying to get possession of a flat allotted to them *thirty years back*, or others who have been complaining to civic authorities for over a decade without anybody responding. There are cases where families have been forced into acute poverty because their pension or other remuneration has not been paid for years, despite numerous reminders and visits to various offices, and there is even a case of a person whose complaint that he has been threatened and his life is in danger seems to have gone unheeded (see Annexure 8 for some examples). Unfortunately, we were not able to follow up and find out whether any of those who adopted this unconventional approach to plead for help were finally heard and helped.

²² RaaG 2009: *Safeguarding the Right to Information: Report of the People's RTI Assessment 2008. Revised Executive Summary & Draft Agenda for Action*. RTI Assessment & Analysis Group (RaaG) and National Campaign for People's Right to Information (NCPRI). October 2009. New Delhi.

Lengthy Applications

A very common complaint expressed by officials and public authorities is that RTI applications are often very lengthy, thereby wasting the time of the PIO who has to read pages and pages before she can figure out what is being asked for. This charge has gained so much credibility (though without any empirical evidence being offered) that the states of Bihar, Chhattisgarh, Karnataka, and Maharashtra have made rules that limit the length of applications to 150 words. Even the Government of India has imposed a restriction on the length, though a more liberal 500 words.

Considering the RTI Act does not prescribe any such restriction, it is a debatable point whether these can be imposed through rules, for in effect such a rule would introduce a condition under which an RTI application can be rejected (if it was over the prescribed limit), an exclusion that was not imposed by the law itself. It seems an accepted point in law that rules can neither contradict nor go beyond provisions of the law for which they are rules.



However, even if we choose to ignore this, it seems that there was no reason for the apprehensions expressed. Our analysis of the applications in our sample from across the country gave us an average length of 119 words per application. 81% of the RTI applications were within the 150 word limit prescribed by some states. Another 16% were between 151 and 500 words, the limit prescribed by the Central Government. Therefore, 98% of the applications were within a 500 word limit, and another 2% between 500 and 1000, and only 0.5% of the applications were such that they could be considered to perhaps be excessive in length, as they crossed 1000 words (see Table 6). Much ado about nothing! Interestingly, these findings are for RTI applications filed during 2005-2008, which was before the Central Government or any of the states (except Karnataka) had prescribed word limits. Consequently, while analysing the length of RTI applications, applications from Karnataka were excluded from the data base and therefore these findings pre-date the imposition of restrictions on length of RTI applications and reflect the truth about the length of RTI applications even prior to any restrictions.

Bits of Information Asked For and Topics Covered

The charge that many applications ask for numerous bits of information covering a large number of topics is perhaps the vaguest set of charges yet made against the current use of the RTI Act. However, despite the difficulty in objectively and universally defining “bits of information” and topics or subjects, some states have gone ahead and made rules that a single application can only contain queries about a single subject. Again, our data is prior to the placing of any restrictions on the number of questions or subjects per RTI application.

Despite the difficulty of determining what a single topic or subject is, we made a valiant effort at trying to determine in a sub-sample of about 800 randomly selected applications, how many topics or subjects each of them sought information about. We also calculated how many bits of information were asked for – this was a simpler task.

After much discussion, we decided to use the definition of topic or subject such that any two or more queries that had a class or logical relationship with one another would belong to a single topic. Therefore, if we asked a set of questions like: how many registered voters are there in Munirka, how many of these voted in the Parliament elections of 2014, and of those who voted, how many were males and how many were females, then these three questions (and more like them) would all be about one topic or subject, as question 2 asked about a subset of what question 1 was about, and so on.

Similarly, if there were two or more questions about a single department, ministry, public authority, issue, thing, activity, decision, document, order, etc., then all of them would be about one topic or subject. Therefore, if one asked how many personnel the police station in Munirka has, how many cases were registered by them last year, what the rate of conviction was, etc., then as it is all about the police in Munirka, it is one subject.

Lastly, we also deemed that where a series of queries were linked by a logical connection, in the sense that they were consequences of one another, or temporally or geographically linked, or about a chain of events, then they must be deemed to be about a single topic. Therefore, using this understanding we determined that, on an average, applications in our sample asked for 2.5 bits of information related to 1.5 topics or subjects.

Despite this, the states of Chhattisgarh and Himachal Pradesh (neither of which are a part of our sample) have notified rules that restrict the number of subjects per application to one. The legality of such a rule is doubtful especially as the RTI Act clearly foresees the possibility that some RTI applications would contain multiple questions which sometimes would ask for information that was not available within a single public authority. It provides, in section 6(3) of the RTI Act that:

“Where an application is made to a public authority requesting for an information,—

(i) which is held by another public authority; or

(ii) the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.”

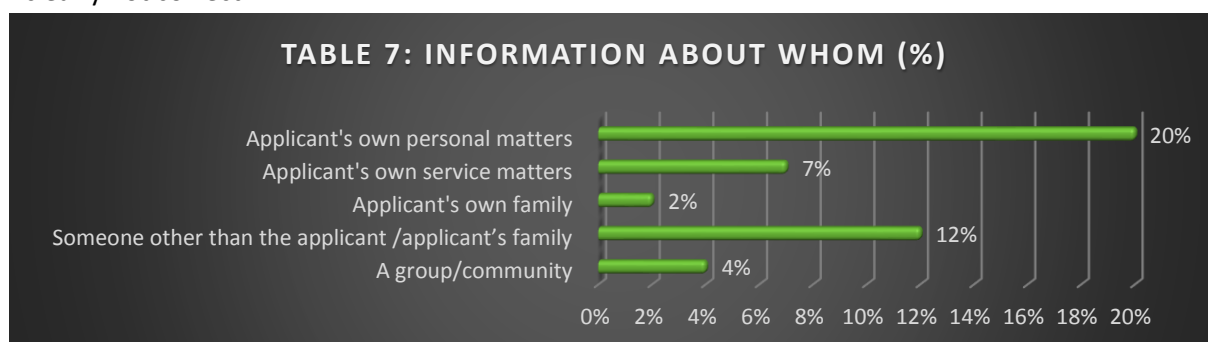
Clearly, the RTI Act envisaged, allowed for, and even went out of its way to accommodate RTI applications where the information being sought may relate to two or more public authorities. The Parliament did all it could to ensure that the citizen was facilitated in accessing information, but the public authorities seem to be set on trying all that they can to make the life of the citizen difficult.

2.2 Profile of the Applicants

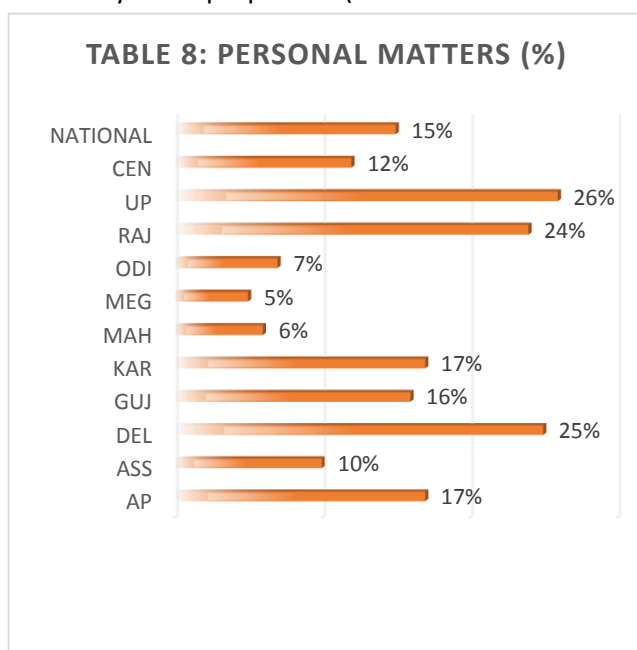
Some of the allegations made against the implementation of the RTI Act included that the Act was primarily being used by bureaucrats for their own service matters, exclusively being used by the urban rich, and mainly being used by men. Accordingly, we tried to determine from the applications that we analysed which of these allegations were correct.

Public Servants asking about their own Service Matters

Of the applications analysed, only 4% were those where individuals (presumably public servants) were seeking information relating to their own service or job (see Table 7). Therefore, the charge that the RTI was primarily or predominantly being used by public servants for their own service matters was clearly not correct.



These findings are in conformity with our earlier analysis,²³ based on interviews with RTI applicants, that a very small proportion (6% rural and 15% urban) of the applicants were government servants.



Even from among these, many were seeking information not about their service matters or as government servants, but as citizens, or parents, siblings, etc.

Besides, even if public servants were using the RTI Act to seek information about their own service matters, what was the harm? The fact that public servants had to use the RTI Act to get information about their own service matters suggested that the government not only kept critical information from the public but also from its own employees!

Tables 8–12 show the variation among states.

²³ *Safeguarding the Right to Information: Report of the People's RTI Assessment*, RaaG 2008 – Op cit.

TABLE 9: OWN SERVICE MATTERS (%)

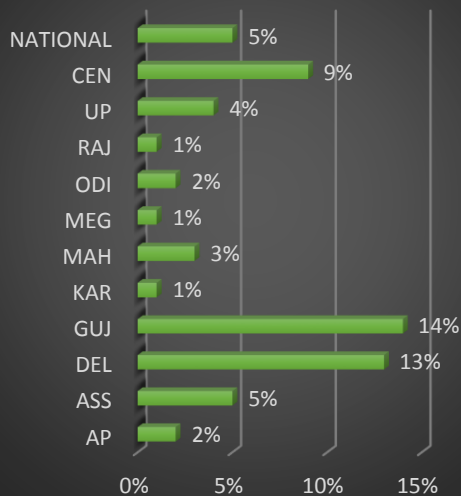


TABLE 10: OWN FAMILY MATTERS (%)

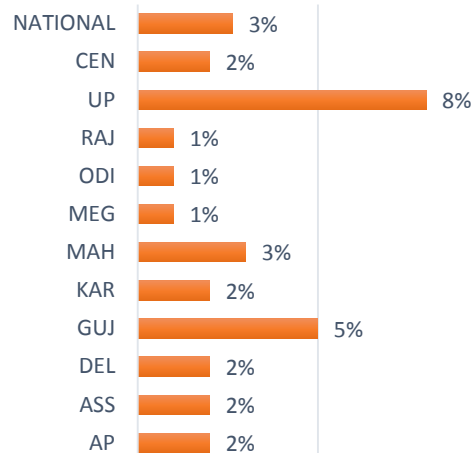


TABLE 11: OTHER INDIVIDUALS (%)

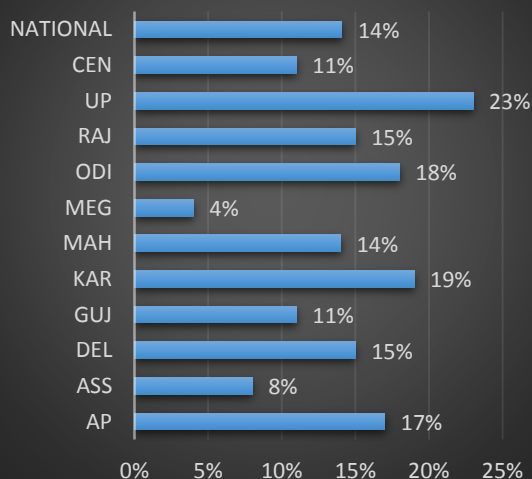
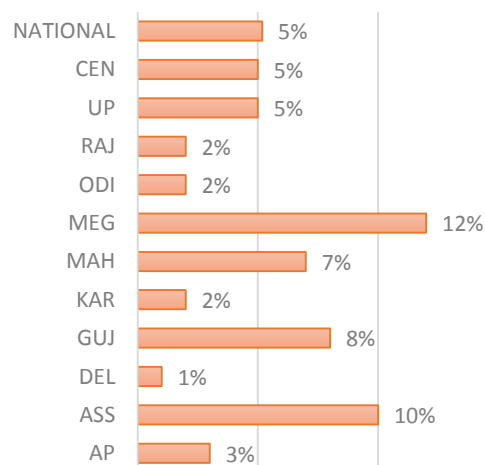


TABLE 12: GROUPS OF PEOPLE/COMMUNITIES (%)

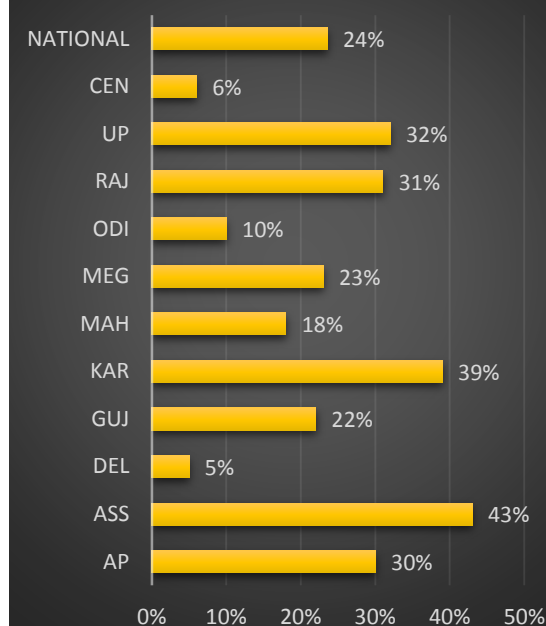


Rural Urban Divide

From our sample it seemed that over 20% of the applicants were from the metros, 60% from cities and towns, and only about 20% from the villages. Given that over 60% of India's population is in the villages, on the face of it rural areas were under-represented. Though this might well be true, it must be kept in mind that our sample had a bias towards metros, and towns and cities. Technically our sample included the metropolises of Kolkata, Delhi, and Mumbai. Also, most of the public authorities from where RTI applications were collected were either at the state headquarters or at the district headquarters, thereby in a city or a town (for state breakup see Table 13).

Though we did try and collect RTI applications from sub-district public authorities, very few were collected and therefore it could be safe to say that our sample perhaps over represented urban areas.

TABLE 13: APPLICANTS FROM VILLAGES (%)



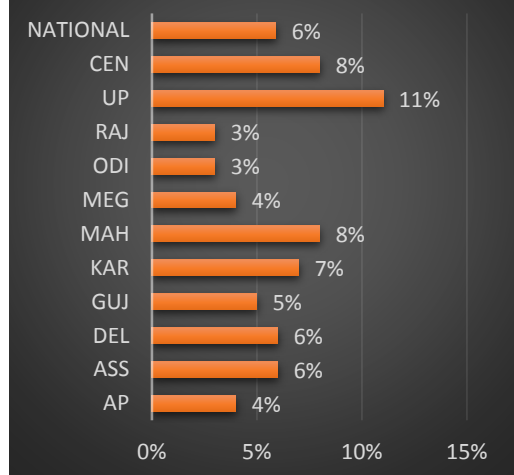
Also, the applications themselves did not contain an explicit statement whether the applicant lived in an urban or rural area. This had to be deduced from the address and the pin code. In about 20% of the applications the name of the village/town could not be recognised and the pin code was either not available or did not clarify the matter. Therefore these 20% of the applications in the sample were marked indeterminate. The probability is that a larger proportion of these were from unrecognisable villages rather than from better known (or searchable on the net) cities and towns.

Gender

The charge that the RTI Act was predominantly being used by men seemed to be borne out by our findings. We found that in our sample 94% of the applicants appeared to be men and only 6% appeared to be women. This finding is even more

depressing than the findings of the main RaaG study which found that 90% of the rural and 85% of the urban applicants were males.

TABLE 14: FEMALE APPLICANTS (%)



The state-wide distribution (Table 14) is also interesting, with Uttar Pradesh showing the highest proportion of women. It would be interesting to find out how that came about.

Applying as individuals, groups or organization

A very large majority of applicants (over 90%) were applying as individuals. Only 8% were applying using letter heads, and only 1% of the applications had multiple applicants. This should set to rest the concern that groups and organizations (rather than individual citizens) were using the RTI Act. There has been much debate on whether organizations are entitled to use the RTI Act, as organizations. Prevalent case law suggests that though the law recognizes organizations as “persons”, they are

not “citizens”, and the RTI Act can only be used by citizens.

Interestingly Assam (18%) and Meghalaya (26%) were way ahead of all other states in using letterheads (see Annexure 1 for details). As they are neighbouring states and traditionally Meghalaya was a part of Assam, could this be a regional cultural trend?

2.3 Types of Information being asked for through the RTI Act

What types of information are the people of India asking for under the RTI Act? The answer to this question is heartening and encouraging. As one reads application after application, not only is one

struck by the reasonableness of the queries, but also by the fact that much of the information being asked for should in any case have been proactively in the public domain. Many of the applications also bring home the plight of the common Indian and the delay, apathy and indifference they have to put up with.

On the other hand, it is also heartening to see that the average citizen of India wants to know what the government of India is doing to preserve its natural resources (there were several applications from citizens worried about the environmental implications of the proposed Ganga Expressway), demands accountability for the numerous foreign trips using the tax payer's hard-earned money, or wants details of a contract to repair a road that developed potholes days after it was repaired. There's many an application where, underlying the questions asked, is the hope that demanding transparency and accountability will lead to improved governance.

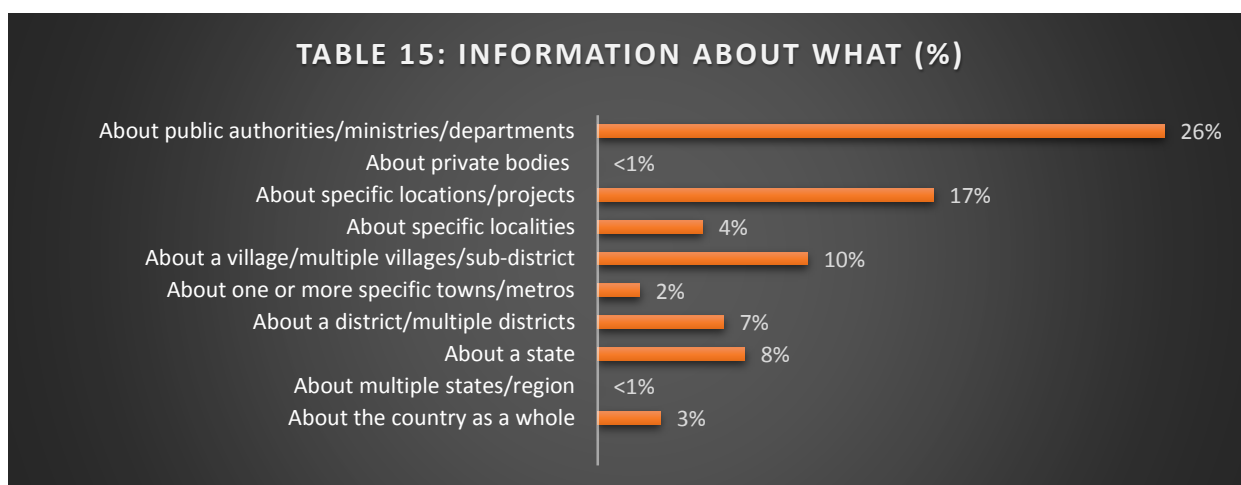
There are human interest stories, mysteries, amusement and even wonder (see BOX 12 for some examples). It is interesting to see what types of information the people of India have to fight hard to access. Annexure 11 gives summaries of some of the interesting RTI applications, while summaries of some of the typical RTI applications can be accessed at:

<http://nebula.wsimg.com/350c61050338fc83131374adc9dfcf4?AccessKeyId=52EBDBA4FE710433B3D8&disposition=0&alloworigin=1>

Coverage

Roughly, about 40% of the applications sought information relating to people – about the applicant herself, the applicant's family and friends, other individuals, groups of people, communities, etc. – as detailed in Table 7 above. Over 80% sought information about one or more public authorities, geographical or administrative units, localities or projects (see Table 15). Clearly, at least 20% of these applications sought information both about people and about institutions or geographical and administrative entities.

Whereas 26% of the applicants sought information relating to one or more public authorities, less than 1% wanted information from private bodies, indicating the lack of awareness among the people

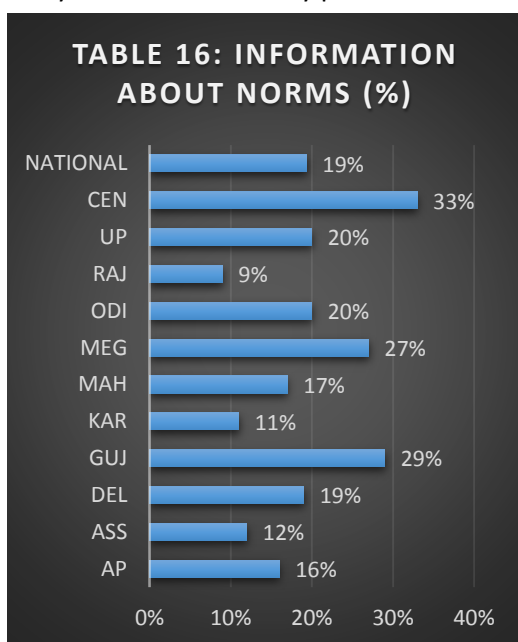


of the provisions of section 2(f) of the RTI Act, which empowers citizens to seek from any private body information such that a public authority can access it under any other law.

In terms of administrative entities, more people sought information about a village, a sub-district or district than about a specific town or city, or about a state or the country as a whole. After public authorities, the next most common subject on which information was sought was a specific location or project (17%) followed by information about one or more villages or a sub-district (10%). Interestingly, information about the state (8%) and about the country as a whole (3%) was more commonly sought than about a town, city or metro (2%).

Information about Norms

Though information about government rules, processes, laws, policies, etc., is required to be proactively in the public domain, a significant number of applicants (19%) felt the need to file RTI applications to access it, probably because either they were not proactively publicised, or if they were, they were not effectively publicised.



The operative word here is effectively. Though our findings again and again show that people are asking for information that should have been provided to them proactively, without their asking for it, it cannot from this alone be deduced that public authorities are not making public at least some of this information. However, it is a reasonable assumption, which we make in this study, that in one way or another this proactive declaration has not been effective, either because people do not know about it, or they do not have access to the format in which it is being made public (like the internet), or that they do not understand the form or language (often only English or the regional language) that it is being presented in. It is very unlikely that such a large number of people would waste so much time and effort, and spend the money involved, in getting information by

filing an RTI application (and often going into first and second appeal and still not getting it, or getting it very late), if the required information was freely available to them, and instantaneously.

For a state-wise breakup of what proportion of the applicants sought information about norms, see Table 16 above.

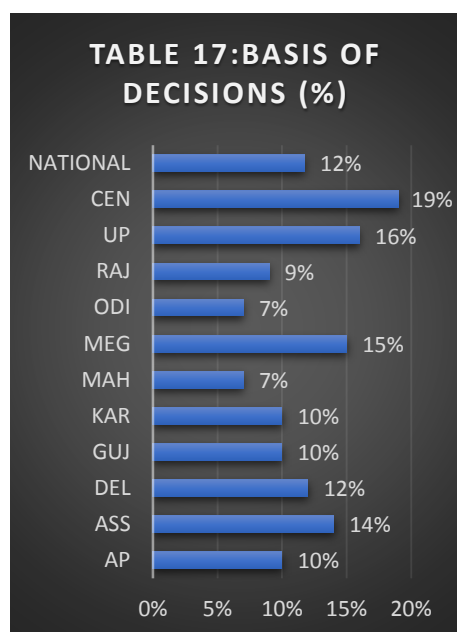
Information about Decisions

Forty three percent (43%) of the RTI applications in our sample (Table 18) sought information relating to decisions taken concerning one or more of the entities for which information was asked for. Ordinarily one would expect that decisions taken by public authorities would be proactively put out into the public domain, except for those few which are exempt under section 8(1) of the RTI Act. Therefore, the fact that such a large number of RTI applications were asking for details of decisions suggests that the government is not being able to effectively disseminate information about the decisions it takes. Not only does section 4(1) (c) of the RTI Act obligate each public authority to proactively “publish all relevant facts while formulating important policies or announcing the decisions which affect public”, but in any case the communication of the details of a decision to those who are affected by it is an essential part of governance.

It is difficult to define who is an affected person. If someone gets something that was due to me, then I am an affected person. If someone gets something for the wrong reasons, then in so far as it subverts the system, all of us are affected. If the government disregards the legitimate interests of a group, especially a disadvantaged group, then again the whole country, or perhaps the whole world, is an affected party. If the environment in one specific area is degraded, then the whole globe is affected. Therefore, barring legitimate concerns of privacy, it is better to assume that everyone is (or should consider themselves to be) affected by all those decisions which affect any part of the country or the globe we live in, and any of the living creatures we share it with.

Information about the Basis of Decisions

Twelve percent (12%) of the RTI applications (Table 17, 18) wanted to know the basis for a decision made by a public authority. As earlier mentioned, section 4(1) (d) of the RTI Act specifies that public authorities should proactively “...provide reasons for its administrative or quasi-judicial decisions to affected persons.” Admittedly, some of the RTI applications were from those who might not ordinarily be considered “affected persons”, but an overwhelming majority seemed to be genuinely affected



parties.²⁴ Those who sought a copy of file notings (3% - Table 19) are also included under this head. Unfortunately, this is also the head under which reportedly a lot of requests for information are rejected with the plea that “nothing is on record”.

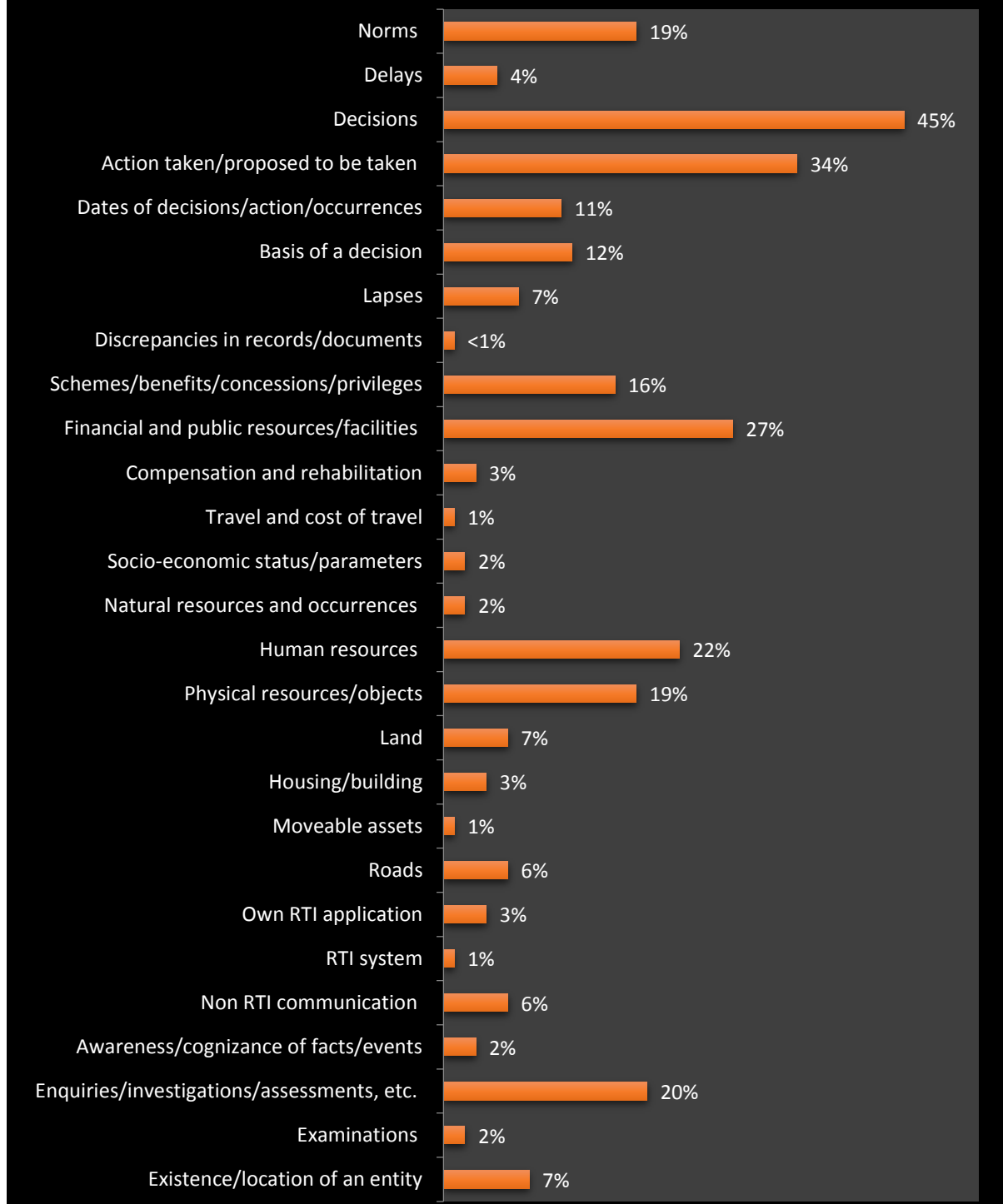
Though laid down office procedures have for a long time insisted that the basis of all decisions must be on record, this does not seem to deter the bureaucracy from either not keeping a record or not admitting to it. However, a recent Supreme Court order²⁵ directed all the State Governments and Union Territories to issue directions in keeping with rule 3(3) of the All India Services (Conduct) Rules, 1968, that requires that all orders from superior officers shall ordinarily be in writing, and any oral orders should be confirmed in writing by the superior officer. Read with numerous orders of the Supreme Court specifying that all

decisions (including those exercising discretionary powers) must have underlying demonstrable good reasons, it is hoped that it will become acceptable to expect that there would be recorded reasons for all decisions.

²⁴ For a state wise breakup showing interesting inter-state variations, see Table 17 above.

²⁵ T. S. R. Subramanian v Union of India (2013).

TABLE 18: INFORMATION SOUGHT ABOUT (%)



Information about Delays/Lapses

Five percent (5%) of the applications sought information about delays and another 7% about lapses (Table 18). Applicants across states and PAs asked why there were delays, and obvious lapses, in taking decisions and action. Several applicants wanted to know about delays in police cases, one asked why certain crucial details had been left out of a tender notice, and another why the use of “etc.” in a DGFT policy circular does not render it incomplete.

BOX 11

Incidentally, the battle of file notings started even before the RTI Act was passed. When the draft RTI Bill was forwarded by the National Advisory Council to the Prime Minister, in August 2004, the definition of information specifically mentioned file notings. When the bill was introduced in Parliament, in December 2004, this specific mention had been deleted. Subsequent discussions with the ministry dealing with the bill suggested that they were under the impression that once this specific mention was dropped file notings would be exempt under the RTI Act. However, the very comprehensive definition of information given in the RTI Act, ensured that even without this specific mention file notings could be accessed under the RTI Act. For a long time after the RTI Act was passed, the nodal department of the Government of India, the Department of Personnel and Training, refused to accept this. They put up on their website an opinion that file notings need not be made available under the RTI Act. This was despite the fact that there was more than one decision of the Central Information Commission specifically ruling that file notings were not exempt under the RTI Act. It was only after huge and sustained pressure from the Central Information Commission that the concerned department finally agreed to remove that opinion from their website. Today, access to file notings is generally the rule.

On the face of it, the number of applications, 5% and 7%, for delays and lapses would not seem very high. However, before we can draw the conclusion that delays and lapses are not major problems with public authorities in India, one must remember that these statistics only stand for those applications which specifically and directly ask whether there was a delay or a lapse. A lot of cases of seeming delays and lapses are covered by RTI applications asking, for example, when action would be taken (next point) or the basis of decisions (last point).

Seeking Information about the Deliberative Process

Interestingly an aspect that is most vehemently resented by the bureaucracy is the ability of the applicant to access the deliberative process of government, specifically the so-called “file notings” that are a part of every government file. It is in these notes, usually on light green stationary, that civil servants and ministers give what they would like us to believe are their candid views and their well-considered advice. It is argued that if these notes became accessible to the public then it would discourage honest, well-meaning, officials from “giving full expression to their views”.

In actual fact, the practice in government for “sensitive” files is that the advice or view to be formally recorded on the file is often first discussed and even unofficially and informally drafted and vetted, before any language is put down on the official file note. This is mainly because even without the RTI Act these files were subject to subsequent scrutiny by investigative agencies or even by successive bureaucrats and ministers, and also by the courts of law. Therefore, for a long time the notes on a file have mostly been sanitised to reflect the views and opinions that the minister or other powerful interests in a public authority need to get put on record.

The practice of manipulating files is not new. So much so, that many years back the government expressly prohibited covering up or removing earlier “notings”. If you changed your mind you had to put a line through the earlier paragraphs so that others could make out what you had written before you changed your mind. Perhaps this led to the elaborate “pre-testing” before notes were officially recorded onto important, especially controversial, files.

This is not to say that they are not occasionally contrary, sometimes even contradictory, points of view recorded on the file. This is often done by honest officers recording their protest against what they see to be a dishonest decision-making process. Therefore, many of these honest officers have welcomed the provisions of the RTI Act which allow their comments on a file to become public. Earlier they were all considered guilty in the eyes of the public if their department had taken a bad or corrupt decision, through a process of which they were a party. They were prevented by the Official Secrets Act and by their own rules and procedures from protesting their innocence and making public their notes of dissent.

Some officers have also expressed the view that the threat that an entire file could become public very soon after a decision has been taken has become an effective way by which honest officers can discourage their seniors from taking totally indefensible, even outrageous, decisions that are clearly not in public interest.

Notwithstanding, it must be remembered that the people of India already know, without the RTI Act, what decisions the government has taken, for they are the ones who have to suffer the consequences. If the RTI Act is to provide any new information, surely the first thing that Indians would like to know is the basis on which various decisions were taken by the government.

Though much is being made about the provisions of the RTI Act which allow access to file notings, in actual fact section 4(1) (c) and 4(1) (d) of the RTI Act, if honestly adhered to, would make it unnecessary for the public to directly access file notings. The two sections of the RTI Act read as follows:

“4. (1) Every public authority shall—

.....

c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;

d) provide reasons for its administrative or quasi-judicial decisions to affected persons.”

As these are obligations that require a public authority to proactively make the basis of all policies and decisions public, if this was honestly done there would be little need to actually look at the files. But then one could argue that if the government functioned honestly then there would also be little need to access most information.

As things stand, only 3% of the applications in the sample sought to access file notings (see Table 8). Clearly this could not be the threat to well-meaning civil servants that the Prime Minister hinted at.

Information about Action Taken or Proposed to be taken by a Public Authority

A whopping 33% of the RTI applications sought to know what action had been taken or was proposed to be taken by a public authority on some matter that required action. There was the person who applied for a DDA flat 27 years ago, and now, most graciously, asks when he can expect a flat to be allotted to him; the lady who wants to know what action the police has taken on her complaint against her physically abusive husband who is now threatening her and pressurising her to withdraw her complaint; or the widow of a government employee who asks when benefits accruing will be made available to her.

Much of what was discussed about decisions earlier is also relevant here, for not only is it critical that the decisions taken by a public authority be communicated to affected persons, but equally or perhaps

even more important is to inform them about what action was taken or is proposed to be taken (and when) about decisions of the public authority, and complaints, requests, or applications to the public authority. Given the large number of people who are using the RTI Act to find out the status and possibility of government action, this information is clearly not being effectively communicated.

Enquiries, investigations, assessments, etc.

Most of the 20% applications for information about enquiries, investigations and assessments related to police or court cases, and to environment impact assessments. This again suggests that public authorities either do not feel the need to update and keep informed affected persons about the progress (or the lack of it) about enquiries, investigations and assessments that involve or affect them, or that they do not manage to do this effectively.

BOX 12

Using the RTI to exercise the “Right to Walk”

A representative of The Right to Walk Foundation in Hyderabad filed an RTI application with the police: “Could you kindly provide us the position of each of the pedestrian crossings on the road from ---- to ---- on the main road? This would enable all the residents to be aware of the crossings and thus cross only at those places”!

Not a very diplomatic response

In response to an RTI application seeking a list of countries that do not have any diplomatic representation in India, the Ministry of External Affairs, Government of India responded: “This Ministry has the list of the countries having their representation in India but does not have the list of the countries that do not have their representation. It should be appreciated that no office compiles and keeps the record of non existing things”!!

Let us hope the income tax department does not follow the same policy and practice for all those who do not pay taxes.

What alternative did this man have before the RTI Act came along - he has been waiting for 26 years??

RTI Application to the DDA dated 16 December 2005

“Dear Sir, ...In spite my best efforts, only on May 13 1979, I could know the fate of my registration No. And was told that a MIG Flat had been allotted to me vide File No. XXXX. Subsequently, I was told that no related documents including the file are traceable. All these years, nothing has happened and none of my letters were replied. You do not know that I sold gold bangles of my newly married wife for the registration money.

“I am a citizen of India and as per the Right of Information Act 2005 desires to know:

1. Reason for not responding my letters
2. Fate of so told allotted Flat”

BOX 12 contd...

And how else was this woman to get this critical information?

A woman asks for a copy of the salary certificate of her husband, who abandoned her and lied about his salary, refusing to show a salary slip to avoid paying his dues.

Anybody's guess why he wants this information. Perhaps he is a cat lover!

Wishes to know which person, persons, collection of people, company or organisation was/were allowed to import live cats into India for "non-research/commercial" purposes in the last 10 years.

This is true business acumen: using the RTI Act to find customers!

The applicant asks for the list of allottees of a DDA scheme whose draw was held 20 days prior to his filing the application as he wishes to offer to finance their flats. Requests for the information on a floppy disc. The applicant wants to use the Act to generate business.

Never thought of that

An RTI applicant asked the government why it is that in a flight you are allowed to remove your seat belt as soon as the flight takes off, but the law insists that in a car you wear it all the time.

Heartening to note that the bureaucracy does not discriminate in favour of its own

A retired IAS officer, who was a Commissioner and Secretary in Assam before his retirement, filed an RTI application with the government bitterly complaining that he had written many letters and reminders, and met many officers, to get a duplicate of his gun licence that he had been damaged over the years and was not usable, but even after a year and a half he has not succeeded. As a last resort he is filing this RTI to find out why there is this inordinate delay in issuing him a duplicate licence.

!!!

Asks if it is illegal to provide sex education to adults over the age of 21. If yes, under what sections is it illegal and copies of the relevant sections of the law?

Information about Financial and Economic matters

Not surprisingly, 21% of the applicants sought information on financial matters. The rural applicants were mostly eager to know about funds spent or proposed to be spent on the various development schemes affecting them. There were an equal number of queries from both rural and urban areas about past expenditure, presumably with the purpose to assess its appropriateness and legitimacy.

2.4 In What Form is Information Being Sought?

The Indian RTI Act is one of the few transparency laws that allow for inspection of sites and the collection of samples. Unfortunately, these rights (0.1% and 0.2%, respectively) are being very infrequently used. The inspection of documents is somewhat more popular, at 3% (Table 9). However,

BOX 13

SOME UNEXPECTED ADVANTAGES OF “INSPECTIONS”

Soon after the RTI Act was enacted, in a public lecture a woman congratulated one of the activists who had fought for the law. When asked whether she had used the RTI Act, she said she had not but was grateful as it kept her husband, who had recently retired from his job as a clerk, out of her hair. Apparently after retirement he used to spend the whole day at home and make her life miserable. Then one day he attended a lecture on the RTI and discovered that it allowed for inspection of projects and project sites. Since then, he and his friend get together every morning and jump on their scooters and “inspect” ongoing public projects around the city. They get copies of the official documents including the sanction orders and approved specifications and check every aspect of each project to see that it conforms to the prescribed standards and specifications.

A clerk, who perhaps never felt so empowered during his long career, now feels empowered as a citizen, thanks to the RTI Act.

inspection of sites and collection of samples can be a great means of ensuring that corruption is minimised and that work is done as required (see Box 13).

Not surprisingly, the most common request was for information in the form of a response or reply for a question or query. This would often be accompanied with a request for a supporting document. Unfortunately, there is a growing tendency among public authorities to misinterpret the RTI Act to mean that questions that require a “yes” or “no” answer are not valid under the RTI Act.

This misinterpretation has led to absurd situations where PIOs have denied information on all subsequent questions as they are contingent on the answer to the first question which, being of the yes or no type, is invalid.

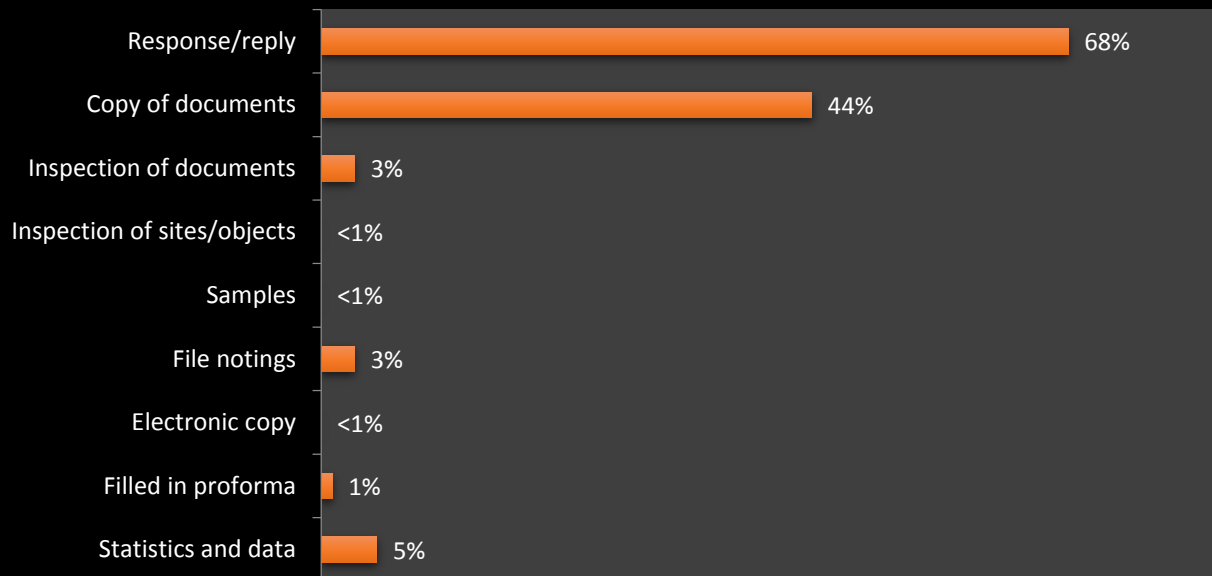
In a recent example, someone asked a public authority whether it was correct that the Prime Minister had visited the United States last year, and if he had then please furnish a copy of his programme, the purpose of his visit and how much it cost the exchequer. The PIO, in

response, said that as the first question required a yes or no answer, it was not acceptable under the RTI Act, and as all subsequent questions followed from an affirmative answer to the first question, which was invalid, they were also invalid!

Of course, instead of asking the first question, if the applicant had just started with the second question and asked for the programme etc., of the PM’s visit last year to the USA, then if the PM had actually gone she would have got the information asked for, and if the PM had not made any such trip, the PIO would be obliged to say that no such record exists, or perhaps even that no such trip was made. But just because the applicant did not want to assume anything and therefore started with a yes or no question, frustrated the whole exercise.

This is a very disturbing trend which is catching on, along with many other tricks that PIOs are using to deny information, or discourage applicants, even where what is being asked for should legally have been provided.

TABLE 19: FORM IN WHICH INFORMATION SOUGHT (%)



ANNEXURES

ANNEXURE 1: CONSOLIDATED STATE AND NATIONAL DATA

NOTE: 0% = < 0.6%

	AP	ASS	DEL	GUJ	KAR	MAH	MEG	ODI	RAJ	UP	CEN	avg
<i>Information sought about:</i>												
Personal matters	17%	10%	25%	16%	17%	6%	5%	7%	24%	26%	12%	15%
Own service matters	2%	5%	13%	14%	1%	3%	1%	2%	1%	4%	9%	5%
Own family matters	2%	2%	2%	5%	2%	3%	1%	1%	1%	8%	2%	3%
Other individuals	17%	8%	15%	11%	19%	14%	4%	18%	15%	23%	11%	14%
Group (s) of people/communities	3%	10%	1%	8%	2%	7%	12%	2%	2%	5%	5%	5%
One or more PAs	24%	24%	41%	17%	24%	26%	23%	27%	27%	22%	31%	26%
Private Body(s)	0%	0%	0%	1%	0%	1%	0%	1%	0%	1%	1%	0%
Specific Location(s)	10%	10%	14%	22%	9%	15%	32%	37%	16%	16%	5%	17%
Specific Localities	2%	3%	6%	1%	2%	0%	15%	13%	2%	1%	1%	4%
Specific village(s)/sub-district	6%	16%	0%	7%	11%	8%	30%	4%	7%	15%	1%	10%
Specific town(s)/city(s)	5%	2%	1%	2%	3%	3%	3%	2%	0%	1%	1%	2%
Specific district(s)	10%	14%	0%	13%	7%	5%	11%	6%	4%	6%	0%	7%
Specific state	12%	14%	6%	19%	9%	11%	5%	2%	1%	1%	4%	8%
Multiple states/region(s)	0%	0%	0%	1%	0%	0%	0%	0%	0%	0%	1%	0%
Country as a whole	0%	8%	1%	3%	1%	1%	2%	3%	0%	0%	16%	3%

Right through these tables, percentages mostly do not add up to a hundred percent, either because in each application more than one type of information is asked for, or because some applications get classified under two or more heads. In some cases they are less than a hundred percent because of rounding off.

Empowerment Through Information - II

CONSOLIDATED STATE AND NATIONAL DATA contd.....												
	AP	ASS	DEL	GUJ	KAR	MAH	MEG	ODI	RAJ	UP	CEN	avg
<i>Information relating to:</i>												
Norms	16%	12%	19%	29%	11%	17%	27%	20%	9%	20%	33%	19%
Delays	5%	5%	6%	2%	1%	3%	3%	3%	4%	12%	5%	4%
Decisions	31%	51%	41%	67%	35%	47%	50%	47%	36%	50%	40%	45%
Action taken/ proposed to be taken	26%	41%	19%	45%	20%	32%	38%	38%	29%	62%	25%	34%
Dates of decisions/action/ occurrences	6%	11%	12%	10%	2%	7%	28%	9%	5%	20%	8%	11%
Basis of decisions	10%	14%	12%	10%	10%	7%	15%	7%	9%	16%	19%	12%
Lapses	8%	10%	5%	10%	4%	6%	6%	2%	7%	10%	8%	7%
Discrepancies in records	0%	1%	0%	0%	1%	0%	0%	0%	0%	2%	1%	0%
Schemes/benefits/ concessions/ privileges	19%	19%	10%	15%	11%	15%	49%	6%	8%	8%	17%	16%
Financial and public resources/facilities	27%	40%	16%	27%	12%	32%	50%	27%	21%	29%	17%	27%
Compensations and rehabilitation	5%	5%	2%	10%	1%	1%	2%	3%	1%	4%	2%	3%
Travel and cost of travel	0%	2%	1%	3%	0%	1%	0%	0%	0%	1%	2%	1%
Socio-economic status/parameters	1%	5%	1%	5%	1%	4%	2%	0%	2%	3%	0%	2%
Natural resources/ occurrences	0%	3%	1%	4%	1%	2%	0%	2%	1%	1%	5%	2%
Human resources	19%	21%	19%	25%	13%	27%	34%	21%	14%	25%	24%	22%
Physical resources/objects	15%	18%	20%	22%	17%	21%	20%	30%	22%	11%	10%	19%
Land	8%	10%	3%	16%	9%	5%	6%	5%	8%	1%	3%	7%
Housing/buildings	2%	5%	12%	2%	1%	4%	3%	4%	1%	3%	1%	3%
Moveable assets	1%	0%	1%	1%	0%	1%	1%	1%	1%	1%	1%	1%
Roads	2%	5%	3%	4%	3%	8%	8%	16%	10%	5%	0%	6%
RTI applications	3%	6%	2%	3%	4%	1%	4%	1%	5%	5%	4%	3%
RTI systems	1%	3%	2%	1%	1%	0%	1%	1%	2%	0%	1%	1%
Non-RTI communication	1%	5%	5%	13%	5%	7%	2%	1%	6%	20%	4%	6%
Awareness/cognisa nce of facts/events	5%	0%	2%	0%	3%	0%	1%	0%	4%	9%	3%	2%
Enquiries/investiga tions/assessments	28%	11%	9%	32%	23%	22%	7%	9%	28%	40%	15%	20%
	AP	ASS	DEL	GUJ	KAR	MAH	MEG	ODI	RAJ	UP	CEN	avg

Empowerment Through Information - II

Examinations	0%	2%	12%	1%	2%	0%	1%	1%	1%	1%	4%	2%
Existence/location of an entity	11%	6%	7%	6%	6%	6%	17%	4%	4%	6%	8%	7%
<i>Form in which information asked for:</i>												
Response	70%	79%	74%	75%	54%	77%	71%	53%	45%	74%	72%	68%
Copy of document	39%	37%	32%	49%	59%	33%	38%	55%	61%	46%	37%	44%
Inspection of document	3%	1%	1%	2%	2%	1%	16%	1%	1%	4%	2%	3%
Inspection of sites/objects	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%
Samples	0%	0%	0%	0%	1%	0%	0%	1%	0%	0%	0%	0%
File notings	1%	3%	1%	6%	1%	2%	5%	3%	2%	7%	5%	3%
Electronic copy	1%	1%	0%	0%	0%	0%	1%	0%	0%	0%	1%	0%
Proforma	1%	3%	0%	2%	0%	1%	6%	0%	0%	0%	2%	1%
Statistics/data	9%	8%	4%	4%	8%	4%	2%	1%	6%	3%	6%	5%
<i>Problematic applications:</i>												
Vexatious	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Frivolous	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Unclear	0%	1%	0%	1%	0%	0%	3%	4%	0%	1%	0%	1%
Voluminous	3%	3%	0%	6%	3%	0%	3%	1%	1%	1%	2%	2%
Infringement of privacy	0%	0%	0%	1%	1%	0%	0%	0%	0%	0%	1%	0%
Long time span	1%	1%	1%	4%	0%	0%	0%	1%	1%	1%	3%	1%
Complaint - not RTI	0%	0%	1%	1%	1%	0%	0%	1%	0%	5%	1%	1%
Grievance - not RTI	1%	2%	1%	2%	0%	0%	0%	0%	0%	5%	0%	1%
Asking for help - not RTI	2%	2%	2%	2%	1%	1%	0%	0%	1%	3%	2%	1%

NOTE: 0% = < 0.6%

Empowerment Through Information - II

CONSOLIDATED STATE AND NATIONAL DATA contd.....												
	AP	ASS	DEL	GUJ	KAR	MAH	MEG	ODI	RAJ	UP	CEN	avg
Public Information that should have been proactively published	42%	66%	49%	64%	44%	59%	75%	63%	38%	38%	52%	54%
Information that should have been given to an applicant without applying for it	20%	19%	26%	33%	16%	13%	10%	13%	21%	37%	16%	20%
<i>Applicant's gender:</i>												
MALE	96%	94%	94%	95%	93%	92%	96%	97%	97%	89%	92%	94%
FEMALE	4%	6%	6%	5%	7%	8%	4%	3%	3%	11%	8%	6%
<i>Type of application:</i>												
SINGLE SIGNATORY	95%	78%	93%	95%	92%	98%	65%	100%	100%	91%	88%	90%
MULTIPLE SIGNATORY	1%	4%	2%	1%	1%	1%	9%	0%	0%	0%	1%	2%
APPLICATION ON LETTERHEAD	4%	18%	5%	4%	7%	1%	26%	0%	0%	9%	11%	8%
<i>Location of applicant:</i>												
VILLAGE	30%	43%	5%	22%	39%	18%	23%	10%	31%	32%	6%	24%
TOWN/CITY	70%	57%	5%	75%	60%	66%	75%	90%	66%	67%	44%	61%
METRO	0%	0%	90%	3%	1%	16%	2%	0%	3%	1%	50%	15%
<i>Average length of application (in words)</i>												
	173	136	151	137	80	71	114	55	97	156	138	119

NOTE: 0% = < 0.6%

ANNEXURE 2: DETAILED METHODOLOGY

As a part of the first RaaG study (2008-09) copies of over 14,000 applications had been received. These 14,000 applications were from over 120 public authorities spread over the ten sample states, the UT of Delhi, and the Central Government. Though RTI applications were filed with over 200 public authorities, asking for copies of the RTI applications received by them during 2005-2008, only 120 actually sent these. The remaining hundred or so either did not respond, won the appeals filed by us, have appeals still pending in various information commissions, or did not send the copies even when ordered to do so by the information commission.

Nevertheless, we got a varied enough set to give us a representative sample from the Central Government and all states except West Bengal. Consequently, for the purpose of this study, West Bengal data (from where only 13 RTI applications were received) has been excluded.

Though applications were received from all the other states, and were in many languages, including English, Hindi, Telugu, Assamese, Khasi, Garo, Oriya, Kannada, Marathi, and Gujarati, the numbers received varied. This was partly because some were larger states, or more active users of the RTI, than others. Also, in some states a larger number of PAs responded than in others.

Therefore, the task of building a representative sample was a complicated one. For the national level sample we determined that we could not include more than 300 RTI applications from each state as some states had sent only that many, and it was important that the sample contain the same number of applications from each state, so that the results from a larger or more active state do not unfairly influence the national picture.

For the Central Government, we decided to include 1000 applications, considering they came from all over the country.

The RTI applications in the final sample were randomly selected from each of the PAs where the number available was greater than what was required.

Selecting a Sample of States, Districts, and Villages

The first RaaG assessment covered 10 states across the country, and the union territory of Delhi. In each state, the state capital and 3 districts were surveyed. In each district, 8 villages were surveyed.

The 10 states²⁶ and their sample districts are:

1. Assam – *Dibrugarh, Karbi Anglong, Nalbari*
2. Andhra Pradesh – *Ananthapur, Nalgonda, Visakhapatnam*
3. Gujarat – *Kutch, Narmada, Mahesana*
4. Karnataka – *Bijapur, Dakshin Kannada, Haveri*
5. Maharashtra – *Aurangabad, Yavatmal, Raigad*
6. Meghalaya – *South Garo Hills, West Khasi Hills, Ri Bhoi*
7. Odisha – *Kalahandi, Deogarh, Kendrapara*

²⁶ India has 28 states and the National Capital Region of Delhi. It also has six union territories, which are centrally administered territories, though these are not covered in this assessment. Each state has its own legislature and its own information commission. Each state is divided into districts, which are administrative units, and each district is further sub-divided into sub-divisions, which are smaller administrative units. The number of districts and sub divisions vary from state to state.

8. Rajasthan – *Dungarpur, Jhunjhunu, Karauli*
9. Uttar Pradesh – *Azamgarh, Bijnor, Jhansi*
10. West Bengal – *Burdwan, Cooch Behar, Uttar Dinajpur*

In addition, the National Capital Region of Delhi was also surveyed.

BOX ANNEXURE 1. HOW SAMPLE STATES, DISTRICTS AND VILLAGES WERE CHOSEN

States - Five states (Andhra Pradesh, Assam, Maharashtra, Odisha, and Uttar Pradesh) were deliberately chosen to overlap with the sample of states in which the Department of Personnel is conducting its own evaluation of the RTI. In this way, both sets of data can be compared to provide a balanced and holistic picture of the working of the RTI in these states. The other five states (Gujarat, Karnataka, Meghalaya, Rajasthan, and West Bengal) were chosen so as to ensure that all corners of the country were represented, that there was a mix of states with varying levels of RTI intensity and different political regimes.

Delhi was also included in the sample, given its national importance and the fact that it has received a very high number of applications.

Districts – Districts were stratified on the basis of literacy, SC and ST population, and geographical spread within the State, and then randomly sampled. The stratification was done using 2001 Census data.

Villages – Within the districts, two blocks were selected such that they were not bunched together and were geographically dispersed. On the basis of the latest census data available, a list of all the villages in the selected block was generated, out of which four villages in each block were randomly picked.

Selecting a Sample of Public Authorities

Across the 10 states, 30 districts and 240 villages, all rural field teams collected data on and conducted interviews in all these departments.

At the **state headquarters** the PAs studied were:

1. Police Department
2. Department of Revenue (Collector's Office)
3. Public Works Department
4. Department of Rural Development and Panchayati Raj
5. Department of Women and Child Development

Ten **Central Government public authorities** that the urban survey covered at the national level were:

1. Ministry of Home Affairs
2. Ministry of Finance
3. Ministry of External Affairs
4. Ministry of Environment and Forests
5. Ministry of Culture
7. Ministry of Agriculture
8. Ministry of Railways
9. Ministry of Social Justice and Empowerment
10. Ministry of Commerce

BOX ANNEXURE 2: HOW STATE AND CENTRAL GOVERNMENT 'PUBLIC AUTHORITIES' WERE CHOSEN

The common set of public authorities was randomly sampled by choosing a representative set of 'high RTI applications-receiving intensity', 'medium RTI applications-receiving' and 'low RTI applications-intensity' government agencies.

Data on the 'RTI-intensity' of individual public authorities was culled from State Information Commission Annual Reports, providing a break-up of the number of RTI applications received by all the state-level government agencies under their jurisdiction. All agencies were then categorised as high-, medium- and low- RTI intensity. A representative sample of 10 public authorities was chosen across these three categories at the Central level, and of five at the state level, as discussed above.

While, ideally, this sampling should have been based on data drawn from the annual reports of all the state information commissions in the 10 sample states, most of these were not available in May 2008 – when RaaG conducted this exercise. Of the 10 sample states, only 3 – that is, Odissa, Andhra Pradesh, and Maharashtra,²⁷ and the Central Information Commission, had uploaded the annual reports for both 2005-2006 and 2006-2007. As of May 2008, one or two commissions had not yet published their 2006-2007 reports. In other cases, while the reports of some information commissions were ready, they could not be made available to us until they had been tabled in the state legislature.

²⁷ Since the Maharashtra SIC annual report was in Marathi language, we had to rely on press reports that detailed the number of applications that were received by individual authorities.

ANNEXURE 3: COPY OF THE RTI APPLICATION

1. Please provide the following details about the RTI application received by the Public Authority:

YEAR	RTI applications received	Not responded to	RTI applications rejected	Full information provided	Part information provided	Forwarded to another public authority
October 12, 2005- to March 31, 2006						
April 1, 2006- to March 31, 2007						
April 1, 2007- to March 31, 2008						

2. Please also provide copies of the relevant pages of the Application register, or any other record of the applications received, their dates and the names and addresses of the applicants.
3. Please provide copies of all the RTI applications received from October 12, 2005 – to April 1st 2008.
4. Please give the information asked for below regarding the time taken by the PIO to dispose of an RTI application:

YEAR	Number of applications rejected			Full information provided for number of applications		
	Within 30 days	Within 31- 60 days	After 60 days	Within 30 days	Within 31- 60 days	After 60 days
October 12, 2005- to March 31, 2006						
April 1, 2006- to March 31, 2007						
April 1, 2007- to March 31, 2008						

5. Please indicate in the table below the sections of the RTI Act under which RTI applications were rejected:

Section applied	Total number of applications rejected		
	October 12, 2005- to March 31, 2006	April 1, 2006- to March 31, 2007	April 1, 2007- to March 31, 2008
2(f)			
2(h)			
2(j)			
3			
7(9)			
8(1) (a)			
8(1) (b)			
8(1) (c)			
8(1) (d)			
8(1) (e)			
8(1) (f)			
8(1) (g)			
8(1) (h)			
8(1) (i)			
8(1) (j)			
9			
11			
24			

FIRST APPEALS

6. Please provide copies of all first appeals received from October 12, 2005 to April 1st 2008.

Empowerment Through Information - II

7. Please provide copies of all orders given by the first appellate authority between October 12, 2005 and April 1st 2008
8. Please indicate in the table below the number of first appeals accepted/rejected and the time taken by the first appellate authority to dispose of the first appeals:

YEAR	Number of first appeals rejected			Number of first appeals accepted Partly or wholly		
	Within 30 days	Within 31-45 days	After 45 days	Within 30 days	Within 31-45 days	After 45 days
October 12, 2005- to March 31, 2006						
April 1, 2006- to March 31, 2007						
April 1, 2007- to March 31, 2008						

9. In how many of the first appeals dealt with since 12 October 2005 was the appellant given an opportunity of being heard before the appeal was decided?

Please find attached an IPO/DD No.
head of account.

Kindly credit the same in your appropriate

Please transfer this application to the concerned PIO and department under section 6(3) of RTI Act, 2005.

Name:

Contact No:

Address:

Signature

ANNEXURE 4: EXPANSION OF CODES

Name of State/District

AP–Andhra Pradesh/ ANA–Anantapur; NAL–Nalgonda; VIS–Vishakhapatnam
ASS–Assam/ DIB–Dibrugarh; KA–Karbi Anglong; NAL–Nalbari
CEN–Central Government
DEL–Delhi
GUJ–Gujarat/ KUT–Kutch; MEH–Mehsana ; NAR–Narmada
KAR–Karnataka/ BIJ–Bijapur; DK–Dakshina Kannada; HAV- Haveri
MAH–Maharashtra/ AUR–Aurangabad; RAI–Raiad; YAV–Yavatmal
MEG–Meghalaya/ WKH– West Khasi Hills; SGH–South Garo Hills ; RB–Ri Bhoi
ODI–Odisha/ DEO–Deogarh; KAL–Kalahandi ; KEN–Kendrapara
RAJ–Rajasthan/ DUN–Dungarpur; JHU–Jhunjhunu; KAR–Karauli
UP–Uttar Pradesh/ AZA–Azamgarh; BIJ–Bijnor; JHA–Jhansi
WB–West Bengal/ BUR–Burdwan; CB–Cooch Behar; UD–Uttar Dinajpur

Name of Public Authority

DDA–Delhi Development Authority
DGFT–Directorate General of Foreign Trade
MEA–Ministry of External Affairs
MOC–Ministry of Culture
MOCO–Ministry of Commerce
MOEF–Ministry of Environment and Forests
MOF–Ministry of Finance
POL–Police
PWD–Public Works Department
RD–Rural Development
REV–Revenue
RLWY–Railways
WCD–Women and Child Development

Languages:

BNG–Bengali
ENG–English
GAR–Garo
GUJ–Gujarati
HIN–Hindi
JAI–Jaintia
KAN–Kannada
KHA–Khasi
ORI–Oriya
TLG–Telugu

ANNEXURE 5: STRUCTURE OF DATABASE FOR ANALYSIS OF RTI APPLICATIONS	
<i>General Information</i>	1. Code (State/PA/Year/Compiler's initials/language/running number)
	2. Date of application
	3. Public Authority
	4. Gender (M=0; F=1)
	5. Single signatory (S), multiple signatories (M), official letterhead (L)
	6. Pin code
	7. Name of village/town/metro
	8. Length of application (in words)
	9. Length of annexures (pages)
	10. Information being asked for (About whom/what geographical or administrative unit; type of information sought; form in which sought; any problem with the application)
	11. Remarks [identify and colour code human interest stories (green), with humour (purple), others that could be boxed or included in the narrative (blue). Also record any peculiarities or problems with the entry that were not captured in the earlier columns.]
	12. Is the applicant from a Village/Town/Metro (V,T,M)
<i>Seeking information about...</i>	13. Applicant's own personal matters
	14. Applicant's own service matters
	15. Applicant's own family
	16. Someone other than the applicant/applicant's family
	17. A group/community
	18. Indeterminate/others (describe)
<i>Seeking information relating to institutions/organisations/administrative or geographical entities (yes=1)</i>	19. About one or more public authorities/ministries/departments
	20. About private bodies (Only those that are not public authorities, i.e., not substantially funded by public funds, and where information is being accessed under section 2(f) of the RTI Act).
	21. About specific locations/projects
	22. About specific localities
	23. About a village/multiple villages/sub-district
	24. About one or more specific towns/metros
	25. About a district/multiple districts
	26. About a state
	27. About multiple states/region
	28. About the country as a whole
	29. Indeterminate/others (describe)
<i>Type of information sought...</i>	30. Public information/Section 4 information(either by law/rule/practice/convention or as an obligation of the public authority or a non-RTI right of the public/obligation of the public authority under the RTI Act)
	31. Acknowledgement/response/information/status etc. that should have been communicated to an individual in any case (either by law/rule/practice/convention or as an obligation of the public authority or a non-RTI right of the individual)
	32. Information about norms (entitlements/processes/rules/time frames/policies/laws etc.)
	33. Information about delays (reasons for delay/ who is responsible/ when will it be done by, etc.)
	34. Information about decisions (details of decisions/ who makes the decisions/ when/ how/notifications etc.) 34.(a) Information about action taken/proposed to be taken; 34.(b) Information about dates of occurrences/happenings/ action/decision
	35. Information about the basis of a decision (what were the factors considered/ what material and data was considered/ who was involved, consulted, heard/what process was followed/ basis for plans and policies etc.)
	36. Information about lapses (what lapses occurred/ why/ who is responsible/ how and when will they be rectified/ penalties/ compensation/ facts and evidence, allegations) 36.(a) Information about discrepancies in records/documents

Empowerment Through Information - II

	37. Information about any schemes/ benefits/ privileges/concessions/ exemptions/licenses/permissions given to anyone, including jobs/promotions, allocations, etc.
	38. Information about financial and economic matters and use of public resources/facilities (accounts, allocations, expenditure/entitlements/ salaries and remunerations/taxes/ materials/utilities/transport etc.) 38.(a) Information about compensation and rehabilitation 38.(b) Information about travel and cost/frequency/purpose/ details of travel 38.(c) Information about socio-economic status/ parameters/information
	39. Information about natural resources and occurrences (use/ destruction/pollution/ allocation/ conservation/ clearances etc.)
	40. Information about human resources (allocation of work/ human resources/ responsibilities/ staffing/vacancies/ performance/skills/training/ health/ qualifications/eligibility/ past record/ social identities etc.)
	41. Information about material/physical resources/objects/infrastructure (list, location, quality, use, distribution, rationale, maintenance, dimensions, status, disposal etc.) 41. (a) Land; 41. (b) Housing/Building; 41. (c) Moveable assets; 41.(d) Roads
	42. Information about own RTI application
	43. Information about RTI system
	44. Information about earlier (non RTI) communication (complaint/ query/ request/ application/ letter/ grievance/ etc.)
	45. Information about awareness/cognizance/recording of facts/events/perceptions
	46. Information about enquiries, investigations, assessments, etc. (about lapses/ complaints/ disasters/ events/ impacts/ follow up/ action taken/ relating to court/police cases etc.)
	47. Information about examinations (eligibility/ time, date and location/ method of evaluation/ mark sheets/ answer sheets/ reason for result/ etc.)
	48. Information about the existence/occurrence/location/status/contact details of an entity (physical or otherwise), facilities or opportunities (authority, committee, etc.)
	49. Indeterminate/others (describe)
Form in which information is sought	50. Response/reply
	51. Copy of documents
	52. Inspection of documents
	53. Inspection of sites/objects
	54. Samples
	55. File notings
	56. Electronic copy
	57. Filled in Proforma
	58. Statistics and data
	59. Indeterminate/others (describe)
Problematic RTI Applications	60. Vexatious
	61. Frivolous
	62. Not clear what is being asked
	63. Voluminous response required
	64. Infringement of Privacy
	65. Long time span (Over 10 years)
	66. Complaint – Not RTI
	67. Grievance – Not RTI
	68. Asking for Help – Not RTI
	69. Others
	70. Remarks
	71. Keywords
	72. Bits of information sought
	73. No of topics

ANNEXURE 6: SOME "VEXATIOUS" RTI APPLICATIONS

1. Asked for the names of the owners of blue line buses that have killed 95 people in last six months , how many of these are managed by people who hold some sort of government office , how many of these are police officials [Delhi Police:AT0453].
2. Asked for lists of works executed in DDA in the last ten years by a contractor agency, whose proprietor is the father of a junior Engineer at DDA. [Delhi Development Authority: SG/0022]
3. Wanted a copy of the file related to his application to extend the validity of his arms licence to all over India, and wanted to know what action was taken against the people responsible for the 'intentional delay', and time frame within which he would receive the licence.[Andhra Pradesh State Police HQ:SG/336]
4. Wanted to know if it was true that the Hyderabad police takes action against government institutions that commit crimes, but not against private institutions. Also asked about the status of her FIR against a particular university. [Andhra Pradesh State Police HQ:SG/417]
5. The applicant asserted that there was a gender bias in government postings and asked for information related to this. He asked if the Women and Child Development Department kept information of all the women officers and ensured that they did not become victims of gender bias. How many women IAS, IFS and IPS officers had been denied their due because of gender bias in the last five years? [Ministry of External Affairs, Government of India: SG/0603]
6. Asked whether there was any post of commercial clerk vacant in 1997 and 2003, and if not, how two specific individuals (names given) could be selected for the job. [Railways: SG/0751]
7. The applicant had filed a complaint against an individual (name mentioned) but didn't receive any follow up news. He asks which MEA officers helped the individual. [Ministry of External Affairs, Government of India: SG/1728]
8. Wanted to know if the government was avoiding funding primary health centres, and whether foreign MNCs forced the government to curb the growth of pharmaceutical business in India. Also wanted to know the expenses by ministers and members of the parliament for their foreign travels. [Ministry of External Affairs, Government of India: SG/1738]
9. The applicant had filed a petition which was dismissed by Delhi High Court. He then filed a restoration petition where (according to the applicant) the counsel made false pleadings. He now asks: whether the counsels appearing on behalf of MEA are accountable to protect the integrity and sovereignty of the Constitution of India. Also asks whether the counsels have standing instructions from MEA to protect vested interests of powerful individuals (politicians), and if they are entitled to get bribed by getting high "fees" for supporting the powerful politicians. [Ministry of External Affairs, Government of India: RSH/0023]

10. Seeks information about a former Passport Officer in Jalandhar. The applicant was annoyed by a decision taken in favour of the person and wanted to know the particulars of his appointment and promotions, and of a first information report (FIR) filed by Central Bureau of Investigation (CBI). According to the applicant, her husband was denied promotions and was retired from service on flimsy grounds, while the other person, despite being "A Jail Bird", was being promoted and sent abroad. [Ministry of External Affairs, Government of India: RSH/0017]
11. Applicant refers to an earlier application, and now wants the full and clear photocopies of it, and while asking for information, expresses doubt over whether the official concerned will do justice to her queries. [Delhi Development Authority: RSH0049]
12. Wants to know the reason why no action has been taken against an official, in respect of her irregularity at work. [Orissa State Public Works Department: RSH0221-BT]
13. The applicant was not provided information in response to his earlier RTI application till 6 months later. When provided, the information was (according to the applicant) wrong and made up. Hence, he once again requests that the asked for information be provided. Information sought: number of appointments in office made on compassionate grounds since 1986; date and basis of appointment; previous workplace of 3 appointees appointed in Feb 1992; basis of their appointment; their ages, educational qualifications, designations and pay. Also seeks information about those who were appointed without any contract – their names, post, qualifications, pay, and the basis for appointing them, copy of advertisement for the post, names, date of birth, qualification, pay, address and names of their relatives who are working in the department. Also asks if a complaint should be filed with the respective officers for not providing correct information. [Ministry of Culture, Government of India: NA-RSH0561]
14. Applicant seeks information regarding working hours per day for the employees and office timings; details of facilities provided to employees who work beyond regular working hours. Is any extra allowance provided? Any orders/directions from government to work extra hours? If so, copy of it. How much electricity is utilized from 5pm-8pm in office, and who pays for this and for the extra salary of employees? The applicant enquires whether it is a violation of human rights if an employee is made to work more than what he or she is paid salary for. Who is responsible for this violation? "Who gave you the authority to spend public money the way you want?" Copies of orders/directions if any, and how many farmers are getting benefitted because of this extra expense? [Department of Child and Women Welfare, Vishakhapatnam District, Andhra Pradesh: RSH0534]

ANNEXURE 7: SOME RTI APPLICATIONS SEEKING “PRIVATE” INFORMATION

1. Asks for details and family background of an MEA official posted in Afghanistan. [Ministry of External Affairs (MEA), Government of India: SG/0092]
2. Wants a copy of the immigration application of an individual, and if her flight details, date/time etc. mentioned in the application are correct or not. [MEA]
3. Wants copies of travelling records of a particular individual posted with the MEA in Romania and date of his recall, along with copies of documents written by the individual. Also asks for names of family members travelling with him. [MEA: SG/438]
4. Asks how many people were granted a visa to study medicine abroad between the years 1991 to 2004, list of names of the students, along with their father's names, complete address details and country of study. [MEA: SG/0562]
5. Wants the names of the employees against whom sexual harassment cases have been reported to the administration, details of action taken on sexual harassment cases, number of enquiries held and names of people found guilty. Also wants names of the employees involved, and number of complaints filed with the police by the administration, when intimated about sexual harassment cases by employees. [Railways: SG/0623]
6. Name, bank code, bank account number, application number of all the people who applied for a DDA flat. [Delhi Development Authority: SG/1621]
7. Wanted copies of the correspondence and notings pertaining to the suspension of an individual (name mentioned), papers relating to the cancellation of the persons diplomatic passport, and a copy of the charge sheet issued to the same individual. [MEA: SG/1707]
8. Number of aspirants for the post of Joint Secretary to the MEA, dates of their application. Whether an individual (name mentioned) has applied for any posting in the MEA and date of his application. [MEA: SG/1710]
9. Inspection of file regarding extradition proceeding against a person and copies of the file of the representation sent by Rashtriya Mukti Morcha. [MEA: RSH/0007]
10. Wanted copies of all reports given by the Central Forensic Science Laboratory, Chandigarh, in a case (Reference given). [Ministry of Home Affairs, Government of India: RSH0253-BT]
11. The applicant wants district wise details (name, address) of the people arrested and convicted, and people convicted and released after prison term for theft of gold, silver, ornaments, cash, clothes or any other robbery, from the year 2000. [Police Department, Nalgonda District, Andhra Pradesh: RSH0545]

ANNEXURE 8: RTI APPLICATIONS SEEKING HELP RATHER THAN INFORMATION

1. The applicant had been living in the United Kingdom for several years where he believes he was unjustly treated which aggravated his medical condition, but he was falsely declared as medically fit, and denied medical assistance. He now seeks the MEA's help in getting a compensation from the UK, among other things.
2. The applicant says his son suffers from cerebral palsy and asks the public authority to 'provide him all facilities as per government rules and norms allotted to handicapped children'.
3. The applicant, a widowed labourer and the lone supporter of her family, states that she had applied for family pension along with all required papers, but her form was returned without assigning any reason for doing so. She now asks for help in resolving the matter to her benefit.
4. The applicant stopped receiving her widow's pension after March 2001, without being informed and given any reason thereof. She has since visited related offices and made applications, but to no avail. She now asks to "take the matter and bring out an amicable solution".
5. This is a request to include the name of the applicant and her family in the "below poverty line" (BPL) list of her village. Their names were excluded after a survey, subsequent to which a complaint resulted in a government order to include them in the list, which was however not done.
6. The applicant was allotted a flat thirty years ago but wasn't given possession for it. He kept making rounds of the office but to no avail. He asks that the matter be looked into.
7. The applicant states that he has been writing to the DDA about the deplorable condition of the roads in SFS Flats and hasn't gotten a response even in a decade. He states that it is a duty of DDA and requests them to sincerely look into this matter and initiate some proceedings and physical work of repairing the roads.
8. The applicant appeared for the examination for the post of Constable, and he didn't get selected because he had less marks in the written examinations. He asks that his answer sheet be re-evaluated.
9. Requests that the police take action on earlier request for police protection as the applicant's life has been threatened.

ANNEXURE 9: COMPLAINTS AND GREIVANCES FILED AS RTI APPLICATIONS

1. The applicant 'informs' the MEA about two individuals who have different passports of many countries, and that they maintain citizenships of different countries and asks the MEA to take necessary action [CEN/MEA/2007/ENG -SG/1731].
2. This is more a complaint about implementation of the RTI regime in the PA than an application, where the applicant says sometimes the applications are not accepted, and reasons given for not doing so are unconvincing, and at other times the applicants are asked to send in the application in a fixed format, contrary to the provisions of the Act. Also advises training for the officials [STA/GUJ/HQ/PWD/2006/ENG - RS0801/GUJ-0907].
3. Asks the Police department to take suo moto action against the mosque in his locality that uses a loudspeaker for namaaz at 5 a.m, and asks them to look into the matter [KAR/BNS/POL/2007/SG/ENG/182 - SG/0182]
4. The applicant was a government employee who has a grievance against the department for giving him a lower remuneration than another employee who was appointed on the same date as him and did not belong to any reserved category either. He was given retirement in July 2006 with his remuneration still being lower, and now asks for the difference to be given to him [MAH/HQ/REV/----/MARATHI/TRANSLATED - RS0678].
5. This is a complaint related to the construction of a well and fixing of a motor pump that was to be done with DRDA funds, but the work of which was abandoned at some point, and the funds allegedly misappropriated by the Panchayat Samiti [MAH/YAV/RD/2007/MARATHI/TRANSLATED- RS0655].
6. The applicant says death gratuity, GIS, BF and other benefits have not been provided to her. She says: " <i>Garib aurat pe daya karein</i> " (have pity on an impoverished woman)[STA/DEL/DDA/ Director Finance/2007/HIN - SG/1218].
7. The applicant has complained to the police about unethical practices being followed by the owner of an LPG gas agency, related to which he had earlier filed an RTI application but got no response. This application is a plea to the police to take action against the agency [STA/UP/BIJ/POL/2008/HIN - RS0419].
8. The applicant has filed this RTI application to complain against the block development officials and asks for action to be taken against them. His complaints are that despite instructions to do so, they do not reside in the residences allotted to them in the block, rarely visit it, and are hence not available to address issues and effectively carry out development work. In addition he complains that they charge a commission for disbursing seed money to gram panchayats. He now asks the department to conduct an enquiry and take action against these employees [UP/HQ/RD/2007/HIN - RS0750].
9. The applicant filed for information at the block level in June 2007, and subsequently made frequent visits to the office for information sought, before filing a first appeal, which too did not get any result. He now files this application and appeals to the district authorities to take action against the blatant flouting of rules and misuse of public resources/ funds by the block authorities, and expresses fear that if such action is not taken, the RTI Act will be reduced to a mere farce [UP/HQ/RD/2007/HIN - RS0767].
10. The applicant attaches a letter signed by multiple people accusing the president of their gram panchayat of misappropriating funds meant for developmental schemes like IAY, SGRY, EFC and TEC, with details of how this was done. He then asks the department to conduct an enquiry against the accused and "take necessary action" [STA/ASS/HQ/RD/2007/ ASSAMESE/TRANSLATED - RS0982/ASS0432].

ANNEXURE 10: INFORMATION THAT SHOULD NOT HAVE NEEDED AN RTI APPLICATION

<p>1. The applicant seeks details of all investigation and action taken by the police department with regard to inappropriate work orders that were given illegally through tenders, and one tender in particular. According to the applicant a tender was invited by the executive engineer on 11/01/02 for building roads in rural areas under the RRM grant, and work on the road between Vemulapada and Athiraladinni was given illegally through this tender. When the applicant complained to the district collector and home minister (dates given) an enquiry was ordered. The applicant applied for a copy of the investigation file, moved the court on not receiving it, and got a favourable verdict. The applicant now requests this information to be provided through the SP office. STA/AP/ANA/REV/2006/TELUGU/TRANSLATED - SN0077</p>
<p>2. The applicant had filed an RTI application for information about work done by her Gram Panchayat between 2002 and 2007 with the local authority, and on not getting a response she wrote to the deputy commissioner of the district who then forwarded her application to the district RD office (forwarding letter number given). She was then asked to pay Rs 5000/- to acquire the information sought. Subsequently, she filed this RTI application with the HQ, asking for the grounds on which she has been asked to pay such a sum, how much is being charged for how many copies, and why the district officials are harassing and threatening her, saying "we, the general public are not in a position to do anything about it". STA/ASS/HQ/RD/2007/ASSAMESE/TRANSLATED - RS0974/ASS0421</p>
<p>3. Details a particular supply order (number given) dated 08 October 1999, and asks why payment against it from DRDA, Nalbari, is still pending, 8 years since. Says high court order for the same and related documents are attached. Has attached the High Court order to the application, along with a letter to the SIC, requesting help, and airing his grievance against the Project Director who refused to carry out the court order. STA/ASS/NAL/RD/2007/ASSAMESE/TRANSLATED - RS1026/ASS0622</p>
<p>4. The applicant has been registered for a DDA flat since 1976 and has received no information from DDA since. Information sought: progress on his application for the flat; names and designations of officers responsible for taking action; action to be taken against officials for neglecting their duty and when such action would be taken; printouts of list of applications received after the applicant's, with dates of receipts and disposal and receipt numbers; reasons for out-of-turn disposal, if any; when enquiry will be initiated against officials responsible for out-of-turn allotment. STA/DEL/DDA/2006/ENG - RS0251</p>
<p>5. The applicant has been trying to get back a substantial sum of money the DDA unjustly charged him as interest, which he believes the DDA needs to refund him, and for which his case had been heard by the CLA/DDA in 2005. He now asks for the legal opinion so given. Other details in information sought are not clear: "interest paid as interest refund "and "DDA faults" (as listed in an annexure).</p>
<p>6. Attached is an annexure with a list of 23 DDA letters/other communications listed as "DDA faults". Another annexure details his fight for getting his refund. STA/DEL/DDA/2006/ENG - RS0201</p>
<p>7. The applicant has filed the RTI request on behalf of another person, whose allotted DDA flat was forcibly taken away from him, he was made to return the demand letter and possession letter and told he would be allotted another flat later. Three years hence the applicant asks the following: the status of the case; when the original allottee will get another flat; who will bear the loss of rent for the intervening period of 36 months that had already passed since the incident. STA/DEL/DDA/2006/ENG - RS0234</p>

8. Wishes to know the allotment status of the flat for which he had registered in 1980. STA/DEL/DDA/2007/ENG - RS0217
9. Applicant had applied for a flat in a 1979 HUDCO scheme. Seeks to know the allotment status. STA/DEL/DDA/2007/ENG - RS00108
10. Applicant's address changed 9 years after he applied for a DDA flat, of which he informed DDA, in 1988, and received acknowledgement. However, subsequent correspondence by DDA was sent to his old address, so he didn't get any intimation of allotment. He now seeks to know: the competent authority that can allot him a flat because delay was caused by the authority; whether DDA will now allot him a flat at the old rate when they first sent him an allotment letter at his former address in 1994; cost of the flat; list of cases where the changed address was not recorded in DDA files in the last 15 years; designation and address of First Appellate Authority. STA/DEL/DDA/2007/ENG -RS00102
11. The applicant, claiming to be an Emergency Evictee whose property was demolished, claims she was recommended for allotment of a flat, deposited funds in 1985, but the allotment did not happen. In her correspondence with DDA, the authority claims to have sent her notice to appear before a committee with relevant documents in support of her claim; she did not appear. Applicant now seeks: copies of acknowledgement of 2 letters sent to her in 1988 to appear; action taken on earlier RTI request related to the same matter; list of other allottees who did not appear before the committee but were allotted flats in a draw on a particular date, with names, flat numbers, file numbers and date of deposit of earnest money; inspection of register to verify information provided in response to her earlier request. STA/DEL/DDA/2007/ENG - RS0084
12. The applicant had filed a sexual harassment complaint (she is an employee with the DDA) and no report was submitted for five years. She asks for the final report following the inquiry on her complaint dated January 2001, action taken against the accused and a copy of the guidelines and policy according to which the Sexual Harassment Committee's proceedings are conducted. STA/DEL/DDA/Dir. Personnel/2006/ENG - SG/0997
13. The applicant states that his retirement benefits have not been provided to him, even after seven years. He says he is at the stage of total starvation due to this. Reason for the lapse of not granting him his pension. STA/DEL/DDA/Dir. Personnel/2007/ENG - SG/0952
14. Asks for allotment letter for his house (finally has opted for RTI form for application as work was not done after 3 reminders, copies attached). STA/DEL/DDA/HOUSING 2/2006/ENG - AT0556
15. The applicant sat for a department competitive exam for the post of Constable in 1992. He got selected and was asked to get a medical done. After his check-ups in 1995, he received no notification from the Police or the hospital. He asks for information regarding the same and reason why he wasn't selected. STA/DEL/POL/B.N/2007/HIN - SG/1354
16. The applicant appeared for an examination for the post of Constable in 2005. He cleared all rounds and was made to go through a medical examination wherein his eyesight was written as 6/36 and he was declared unfit. He applied for a re-check and once again was declared unfit even though this time his eyesight was 6/6. He asks why he wasn't hired, number of applicants who had to get their vision re-checked and how many of them got selected. STA/DEL/POL/B.N/2007/HIN - SG/1472
17. He states that he hasn't received any response to his previous RTI application (dated 20-02-2007) in which he asks for copies of 'nakshas' (maps) of certain properties that were in possession of his late father. In the end, the applicant writes that more than a year

has passed since his application and that he needs the information quickly since he is 77 years old and doesn't have enough time. STA/KAR/DK/POL/2008/ENG - SG/0551
18. Copy of non-bailable warrant against her husband, status of investigation at present, reason for the delay. STA/KAR/HQ/POL/2006/SG/ENG/249 - SG/0249
19. Asking if there is any case filed against him by his wife and if there is, he asks to furnish details. STA/KAR/HQ/POL/2007/SG/ENG/288 - SG/288
20. Wants to know what action has been taken against the husband (named) of the applicant's late daughter (named), since 11 August 2006, which was probably when a complaint was lodged after the daughter's death. The applicant had to resort to RTI to find out whether they would get justice for losing their daughter. STA/MAH/RAI/POL/2007/MARATHI/TRANSLATED - RS0822/MAH
21. The applicant's husband was employed as a JE with the PWD and passed away in August 2004. However, the applicant has, almost 3 years since, not received any of the benefits like death-cum-retirement gratuity, increment arrears, leave encashment, "arrear pension", or his general provident fund. She now asks for the reasons for the delay in releasing these funds and names/posts of officers responsible for the delay, and how long it will be before she receives them. STA/MEG/HQ/PWD/2007/ENG - RS/SS0047
22. The applicant's daughter was allegedly a dowry victim, set ablaze by the husband and his family, after which the applicant filed a complaint with the police department by registered post, requesting to file an FIR against the in-laws of his daughter. He now asks for the date on which the complaint was received, and action taken on the same. Also asks for the reasons for not registering an FIR, whether a letter from the mahila aayog was received by the police department, the date of receiving the letter and a copy of the letter. Wants to know whether the letter sent by National Human Rights Commission was received by the police dept., and its date of receipt, a copy and action taken on the same, and a copy of the order passed by the C.G.M.'s court and action taken on the same. STA/UP/AZA/POL/2007/HIN - SU0033
23. The applicant presented an application in the office of the district officer on 7/08/2007 and was assured that her application would be considered. She now asks via her RTI application why no action has been taken yet and the designation and name of the senior official who can give her justice in this regard. Apparently desperate, she adds that if the department cannot give her justice it should give her an order to end her own and her children's lives. STA/UP/AZA/POL/2007/HIN - SU0042
24. The applicant is an official of the 'kshetra panchayat', Hilauli. She refers to a prior communication with the minister and chief secretary, rural development, regarding irregularities in the national employment scheme, and requesting investigation into the same. She now asks for the action taken on her complaint, using the RTI route to do so. STA/UP/HQ/RD/2007/HIN - RS0779
25. The applicant relates her plight of 17 years of prolonged illness, compounded by the fact that her husband's pension dues have not been cleared because of which she cannot pay for her treatment. The applicant now wants to know the reasons behind delay in issuing the pension for her husband, and the name of the official responsible for this lapse. STA/UP/JHA/PWD/2006/HIN - RS0737
26. The applicants complain that their gram panchayat, of which they are members, has not had a single session since their election to it in 2005. They are hence clueless of the developments in their panchayat. They now ask for copies of documents related to development schemes sanctioned for their village and funds spent by the gram panchayat in 2005 and 2006. STA/UP/JHA/RD/2007/HIN - RS0720
27. The applicant and his sister are children of a late Railway serviceman. Both brother and sister suffer from a disease that rendered them blind. They required a blindness

<p>certificate to get family pension. They ask the railway to arrange a medical certificate. Again submits another RTI application, nearly six months later, with respect to his previous application. The applicant states he hasn't received a response yet. They again ask the Railway to please arrange for a handicapped certificate. CEN/RLWY/REG/WB/2007/ENG - SG/0829, SG/0830</p>
<p>28. The application has been filed on behalf of 52 people of a village who were approved to be allotted one <i>bigha</i> of land each in a specific place by the Land Advising Committee, Guwahati sub-division, via a letter dated 27 Jan 2006 (one and a half years before the RTI application), sent to the concerned office (letter number quoted) for further action. The applicant now asks: status of the proposal to allot land; daily progress on the file; whether the poor villagers need to apply again elsewhere; what they need to do to get immediate approval. STA/ASS/HQ/REV/2007/ASSAMESE/TRANSLATED - RS1015/ASS0591</p>
<p>29. The applicant's now deceased husband had filed an application for an LIG flat in 1991. She didn't hear from DDA in 16 years' time. She asks for the daily progress made on her application, names and designations of officers who handled the application, how many days it stayed with them, action taken against the officers, by when her work would be done and list of applications received after hers was, reason for out of turn disposal of applications. STA/DEL/DDA/Housing2/2006/ENG - SG/1521</p>
<p>30. The applicant, a widowed labourer and the lone supporter of her family, states that she had applied for family pension along with all required papers, but her form was returned without assigning any reason for doing so. She now asks for help in resolving the matter to her benefit. STA/GUJ/HQ/WCD/----/GUJARATI/TRANSLATED - RS0877/GUJ-TRANSLATED</p>

ANNEXURE 11: SUMMARIES OF SOME INTERESTING RTI APPLICATIONS

Code (State/PA/Year/language)	SUMMARY
STA/DEL/DDA/2006/ENG	1. The applicant claims that when her house was demolished during the Emergency she applied to the DDA for alternate housing, on paying 'earnest money' in 1985, but was not allotted a flat, while others who paid the same after her, were. She now seeks: copy of the details of persons who deposited the money during the same year; copy of 'representation' to VC, DDA, in 1986; copy of notings of certain dates; copy of a 1986 letter of R&R office of the Land and Building dept.
STA/ASS/HQ/RD/2007/ ASSAMESE/TRANSLATED	2. The applicant, a graduate, has been working as a Gram Sevak in the Dhekiajuli development block at the same post for 27 years, and seeks information related to his not being promoted. Information sought: why he has not had a single promotion in 27 years; basis of promoting an LDA to the post of UDA and a 4th grade employee to UDA; why only one person (not named) is getting promoted in the same department, with total disregard of service rules; list of employees at all posts in the said development block who have been promoted from 1992 till the date of application.
STA/DEL/DDA/2006/ENG	3. The applicant has been registered for a DDA flat since 1976 and has received no information from DDA since. Information sought: progress on his application for the flat; names and designations of officers responsible for taking action; action to be taken against officials for neglecting their duty and when such action would be taken; printouts of list of applications received after the applicant's, with dates of receipts and disposal and receipt numbers; reasons for out-of-turn disposal, if any; when enquiry will be initiated against officials responsible for out-of-turn allotment.
STA/AP/ANA/REV/2006/ TELUGU/TRANSLATED	4. The applicant seeks details of all investigation and action taken by the police department with regard to inappropriate work orders that were given illegally through tenders, and one tender in particular. According to the applicant a tender was invited by the executive engineer on 11/01/02 for building roads in rural areas under the RRM grant, and work on the road between Vemulapada and Athiraladinni was given illegally through this tender. When the applicant complained to the district collector and home minister (dates given) an enquiry was ordered. The applicant applied for a copy of the investigation file, moved the court on not receiving it, and got a favourable verdict. The applicant now requests this information to be provided through the SP office.

Empowerment Through Information - II

STA/AP/ANA/REV/2006/ TELUGU/TRANSLATED	5. The applicant's husband, probably a farmer, died 4 years prior to this application, after consuming pesticide. Since then the applicant has been applying for compensation, but has not received any response from the government. Her husband had borrowed 1.5 Lakhs from various people and these people are now harassing the applicant. She has found out from a relative that her application is lying in the RDO office. The applicant now seeks to know whether she is eligible to receive compensation provided by the government.
STA/AP/ANA/REV/2007/ TELUGU/TRANSLATED	6. The applicant seeks the following information: i) details of all visits of the Chief Minister (CM) to Anantapur District between May 2004 and 31st January 2007, ii) details of promises made by the CM to the people during his visits, iii) details of action taken on the promises made by the CM, amount of fund that was spent to do the concerned work and amount of fund needed to complete the work.
STA/AP/NAL/POL/2007/ENG	7. Asks for Details including name and address of complainant who have been threatened for filing RTIs and details of accused ,Also wants to know action taken against the accused in Andhra Pradesh since 2005
STA/ASS/HQ/HOME/ 2007/SG/ENG/173	8. Asks for the total salary and wages of her husband.
STA/ASS/HQ/HOME/ 2008/SG/ENG/167	9. Asking why he hasn't gotten a response even after two RTI applications were filed.
STA/ASS/HQ/RD/2007/ ASSAMESE/TRANSLATED	10. The applicant had jointly filed an RTI application with the Nalbari District Council, along with another applicant. He did not receive the information sought, but was informed by the same office (letter number given) that his co-applicant had withdrawn the application. He now asks for the information sought with a reminder that he has not withdrawn his request for information. Also reminds the office that since the stipulated period for providing information was already over, he would be compelled to complain if not provided information immediately, and copies the communication to the SIC and the state HQ of the department.
STA/ASS/HQ/RD/2007/ ASSAMESE/TRANSLATED	11. The applicant had possibly filed a joint RTI application along with other applicants, with the local authority for information about work done by his Gram Panchayat between 2002 and 2007, and on not getting a response he filed the same application again, and was then asked to pay Rs. 5000/- to acquire the information sought, and not told for how many copies this amount was asked to be paid and at what cost for each copy. The applicants were also "threatened to stay away from the RTI Act". The applicant now asks, in his RTI application to the HQ, for the grounds on which such a sum is being demanded, and requests that the information sought be provided 'on time'.

Empowerment Through Information - II

STA/ASS/HQ/RD/2007/ ASSAMESE/TRANSLATED	12. The applicant had filed an RTI application for information about work done by her Gram Panchayat between 2002 and 2007 with the local authority, and on not getting a response she wrote to the deputy commissioner of the district who then forwarded her application to the district RD office (forwarding letter number given). She was then asked to pay Rs 5000/- to acquire the information sought. Subsequently, she filed this RTI application with the HQ, asking for the grounds on which she has been asked to pay such a sum, how much is being charged for how many copies, and why the district officials are harassing and threatening her, saying "we, the general public are not in a position to do anything about it".
STA/ASS/HQ/RD/2007/ SG/ENG/148	13. Status of her application for the post of <i>Gram Sevika</i> in the DRDA, appeared for in 1996.
STA/ASS/HQ/REV/2007/ ASSAMESE/TRANSLATED	14. Seeks district-wise financial details of construction works sanctioned, and Dhuburi district in particular. Information sought: funds released against works completed under CRF in the period 1996 to 2006-07, and the districts in which these were undertaken; funds granted, and works for which granted in Dhuburi district in the same period; of the sanctioned amount, funds still to be paid to contractors; whether it was true that despite 3 to 7 years having lapsed since the completion of works, contractors' dues were still to be cleared; reasons for this lapse; action taken, or proposed to be taken, on humanitarian grounds, to clear the dues of these small-time contractors, now in dire straits financially.
STA/ASS/NAL/PWD/2007/ ASSAMESE/TRANSLATED	15. The applicant, an un-lettered person whose now deceased husband was a government employee, had filed an application with the PWD, Nalbari, in relation to her husband's service matter, via the post office, along with the requisite fee. The PIO of the department refused to accept the application. This is an appeal to the district office, with a copy to the SIC, to ask the PIO to furnish the requested information and also to take legal action against the PIO.
CEN/MEA/2006/SG/ENG/312	16. Asking for a copy of the warning issued to her abusive husband (who works in the IFS)
CEN/MEA/2006/SG/ENG/314	17. Certified copies of the complete correspondence of the MEA with the Governments of the USSR and the Russian Federation over the disappearance of Subhash Chandra Bose
CEN/MOEF/UP/2007/HIN	18. Asks which animals and birds have become extinct or are on the verge of extinction in the area of Fields of river Ganga in Uttar Pradesh , Wants to know which birds migrate to the fields and which trees are found in the area.
CEN/MoF/DISINVESTMENT/ 2006/ENG	19. The application deals with mind control technologies. He claims there is a widespread nexus related to it and that he is harassed by it.

CEN/RLWY/REG/MAH/2007/ENG	20. Names of the employees and number of sexual harassment cases intimated to Administration, names of employees and number of actions taken on sexual harassment cases, number of enquiries held and names of people found guilty, names and employees and number of complaints filed with the police by administration when intimidated about sexual harassment cases by employees
CEN/RLWY/REG/STA/ODI/2007/ENG	21. The applicant has been working at the Railways since 1975 in the pay scale of Rs 4000-6000. His basic salary is Rs. 4800. He writes that his batch mates get Rs. 5000 and his juniors get Rs. 4900. He asks for information regarding the fixation of his pay and time limit in which it would be enhanced
CEN/RLWY/REG/WB/2007/ENG	22. Asking for a copy of the salary certificate of her husband, who abandoned her and lied about his salary, refusing to show a salary slip to avoid paying his dues
CEN/RLWY/REG/WB/2008/ENG	23. Copy of salary certificate of her husband, who is a machine man with the Railway
DEL/MCD/----/HIN	24. The applicants requests for the reply to be in Hindi and wants to know how a retired person can get their pension when the officials concerned are not cooperative.
MAH/AUR/WCD/2005/MARATHI/TRANSLATED	25. The applicant wants to know the number of vacancies of class four employees. The applicant has filed this application as the applicant has not been allotted work since 1995 despite the HC decision on the petition that he had filed.
MAH/HQ/REV/2007/MARATHI/TRANSLATED	26. Seeks information related to the government's scheme for alleviating government employees' disappointment due to lack of growth opportunities for them, and quotes a GAD, Maharashtra rule number of 08 June 1995. Asks for a list of such eligible employees in a certain wage category from 1994 onwards, and a list of those who have benefited from it, and the period for which they have enjoyed these benefits.
MAH/HQ/WCD/2006/MARATHI/TRANSLATED	27. The applicant cites a report in a newspaper about severe malnutrition in the Nandurbar district of north Maharashtra and asks how the department is handling the problem in that district. Says the information should be provided within 48 hours since it concerns the life of the people in the region.
MAH/HQ/WCD/2008/MARATHI/TRANSLATED	28. The applicant claims to be a state government "compassionary" candidate, and says his appointment has been pending for the last 7 years, and wants to know its status.
MAH/RAI/POL/2006/MARATHI/TRANSLATED	29. The applicant had earlier lodged a complaint with the police commissioner regarding illegal activities like selling country liquor, gambling, and other anti-social activities in Raigad district, in November 2006. He now wants to know what action has been taken on his complaint.

MAH/RAI/REV/2007/ MARATHI TRANSLATED	30. According to the applicant, a named individual constructed a hospital on a specified residential land, thus converting the use of residential land to non-residential purposes. No action was taken even after the collector was informed through a written application. Illegal construction was done on the plot without getting its map passed by the collector's office in the year 2000, and in 2004/2005 on another plot of land. The applicant seeks to know why the illegal construction wasn't demolished and why this case wasn't taken to court for illegal use of residential land and illegal construction. He further seeks to know what action has been taken by the concerned authority on the complaint filed earlier.
MAH/RAI/REV/2007/ MARATHI TRANSLATED	31. The applicant complains that a named individual is using residential land for non-residential purposes by constructing his own hospital, and roads around it are also being used illegally with the help of gram panchayats. No action has been taken even though the applicant made a written complaint to the collector on 4/04/05. In response to his demand for copies of evidences such as letter sent by a named revenue minister to the collector, the named block officer visited the site. However since then there has been no progress in this case and the applicant has not received any written information. Response to the applicant's several queries is that enquiry is in progress. The distraught applicant alleges that the case is being suppressed under political pressure and money power. Though not specifically stated, he probably wants to know why no action has been taken against his complaint, and why the documents he requested have not been sent to him.
MAH/YAV/RD/----/ MARATHI/TRANSLATED	32. This is a request to include the name of the applicant and her family in the BPL list of her village. Their names were excluded after a survey, subsequent to which a complaint resulted in a government order to include them in the list, which was however not done.
MAH/YAV/RD/2005/ MARATHI/TRANSLATED	33. Wants to know how many farm ponds were dug in the Ner area between 2001 and 31 March 2004 under the Rural Employment Scheme, the names and addresses of labourers who dug them, wages paid to them and the number of wheat coupons given to them.
RAJ/HQ/REV/2007/HIN	34. The applicant had filed a case in the High Court related to Land Reforms Act, for which the decision taken was sent to the Registrar of revenue department. Five years after the date of the decision given by the court, the applicant, via RTI, asks for a copy of the decision and details of action taken in this period of five years. He has also asked for a copy of decision taken on 6.3.2003, sent to ADM of Karauli.

Empowerment Through Information - II

RAJ/JHU/POL/2007/HIN	35. The applicant is the mother of an army personnel who has passed away. She writes that since his widow has remarried, she had requested (the army) for her son's pension to be divided between them. She states that she had requested for an investigation to be carried out in this regard by the BRO. Thus, she now wants the copies of the investigation reports from the BRO and SHO and copies of the reports that may have been sent by the PA.
STA/STA/AP/VIS/WCD/2007/TELUGU/TRANSLATED	36. Applicant seeks info regarding working hours per day for the employees and office timings; details of facilities provided to employees who work beyond regular working hours. Is any extra allowance provided? Any orders/directions from government to work extra hours? If so, copy of it; electricity utilization from 5pm-8pm in office? And who pays for this- public funds/salary of employees, give details; the applicant enquires if it is a violation of human right if an employee is made to work more than his salary amount? Who is responsible for this violation? "Who gave you the authority to spend public money the way you want?" for it copies of orders/directions if any, and how many farmers are getting benefitted because of this extra expense?
STA/STA/AP/VIS/WCD/2007/TELUGU/TRANSLATED	37. Regarding the Disabled Act-1995, the applicant asks if their office provides 'Barrier free built environment'; if they provide it as per CCW and Space standards?; If no, then why not?; if they have the document and its cost?; details of constructions in office since 2002 and how many of have Barrier free built environment for the disabled?; also no. of sub-offices in the office and if they have it or not?
STA/DEL/DDA/2006/ENG	38. The applicant has filed the RTI request on behalf of another person, whose allotted DDA flat was forcibly taken away from him, he was made to return the demand letter and possession letter and told he would be allotted another flat later. Three years hence the applicant asks the following: the status of the case; when the original allottee will get another flat; who will bear the loss of rent for the intervening period of 36 months that had already passed since the incident.
STA/DEL/DDA/2007/ENG	39. The applicant asks for the list of allottees of a DDA scheme whose draw was held 20 days prior to his filing the application as he wishes to offer to finance their flats. Requests for the information on a floppy disc.
STA/DEL/DDA/2007/ENG	40. Seeks information to confirm the name/names of allottee/allottees of a particular flat--not his own, the mode of payment of the remaining sum(quoted) including instalment due as well as penalty to DDA and directions on how he could obtain an NOC from DDA on clearing the payment dues. Refers to an earlier RTI application thanking the authority for help in providing him information about the dues; it is apparent he is asking for information because he wishes to buy the property.
STA/DEL/DDA/Dir. Personnel/2007/ENG	41. The applicant had heard of some vacancies in Group D category. Through the RTI application, he applies for the post

Empowerment Through Information - II

STA/DEL/DDA/Dir. Personnel/2007/ENG	42. Photocopies of nominations submitted by an employee (name given) who died in harness in 2005 (her husband). Copies of receipts of payments made to the heirs of the employee. Certified copy of service book of the deceased, details of recoveries made from the dues of the late employee, measures taken to provide relief to the family
STA/DEL/DDA/Dir. Personnel/2007/ENG	43. The applicant complains about a woman who calls herself a DDA employee 'and has made life miserable for the residents of her colony by complaining here and there on flimsy grounds, taking the benefit of her employment in DDA'. He asks if she is really employed in DDA, post at which she is working, which departments she has been posted at, if she has ever been suspended if there is any vigilance case against her
STA/DEL/DDA/ DWARKA/2007/ENG	44. The applicant did some work for the DDA in 1996-97 for which he took partial responsibility. He met with an accident and got a physical handicap. He still wasn't paid for the work, and didn't get the extra security money he was entitled to. He asks the reasons why the extra expenditure was not given to him, and why they didn't release the security money
STA/DEL/DDA/ HOUSING 2/2006/ENG	45. Asks about the implementation of courts order on applicant's earlier application. THE APPLICANT HAS FILED AN RTI AFTER 11 APPLICATIONS THAT HE HAD SUBMITTED REGARDING THE SAME ISSUE.
STA/DEL/DDA/ HOUSING 2/2006/ENG	46. Asks the reasons behind delay of allotment of flat to the applicant (after 27 years). Asks why DDA did not construct these flats earlier and also the reasons behind dispatch of allotment letters through bank?
STA/DEL/DDA/ HOUSING 2/2006/ENG	47. Asks whether there exists ant time frame for issuance of fresh CD paper. Asks what punishment is liable on a person (DDA official) for delay of issuance of the same as it is his responsibility. HAVE BEEN WRITING TO THE DEPT. SINCE 3 YEARS
STA/DEL/DDA/ HOUSING 2/2007/ENG	48. After explaining his case the applicant asks the dept. for an approx. date of allotment of this flat. Also asks who will bear the escalation of cost since 1979 (over 25 years) to the date of allotment.
STA/DEL/DDA/ HOUSING 2/2007/ENG	49. Asks about current status of allotment of MIG flat of the applicant .Asks for estimated time frame within which he will get MIG allotment after waiting patiently for 27 years. Also asks why allotment of his flat not yet materialized?
STA/DEL/DDA/ Housing2/2006/ENG	50. The applicant files an RTI application on behalf of his client - who was given possession of a DDA flat but because it wasn't ready for physical possession, they hadn't moved in. However, in this time, the possession of the flat was given to someone else. The applicant's client had made a payment and had been doing the rounds for 19 years but to no avail. The applicant says that alternative accommodation be made available to his client in 15 days' time

Empowerment Through Information - II

STA/DEL/DDA/ Housing2/2006/ENG	51. The applicant's now deceased husband had filed an application for an LIG flat in 1991. She didn't hear from DDA in 16 years' time. She asks for the daily progress made on her application, names and designations of officers who handled the application, how many days it stayed with them, action taken against the officers, by when her work would be done and list of applications received after hers was, reason for out of turn disposal of applications
STA/DEL/DDA/ HOUSING2/2007/ENG	52. The applicant had been allotted a flat. He paid off a sum of 3.5 lakhs in 2001 and his balance amount was 44,000 which he couldn't pay on account of the medical bills of his wife and himself. When he contacted the DDA to ask if he can pay off the balance amount, they said the interest alone is 2.1 lakhs. He asks the DDA to exempt the amount
STA/DEL/POL/B.N/ 2007/ENG	53. The applicant applied for the post of CT Exe in 2007. He asks for the merit list, his own interview marks and merit list, marks obtained by him, whether his bonus marks have been included.
STA/DEL/POL/B.N/2007/HIN	54. The applicant sat for a department competitive exam for the post of Constable in 1992. He got selected and was asked to get a medical done. After his check-ups in 1995, he received no notification from the Police or the hospital. He asks for information regarding the same and reason why he wasn't selected
STA/DEL/POL/B.N/2007/HIN	55. The applicant was selected for the post of Constable in 2006. But a false case was filed against him, for which he was acquitted scot-free. He notified the Delhi Police of the same, but his recruitment was terminated. He then asks why six other candidates were hired but not him
STA/DEL/POL/B.N/2007/HIN	56. Rules for recruitment to various positions in the Delhi, if physical fitness marks matter as much as written examinations, if the physical examinations keep happening even after recruitment and if any action is taken against the employees who don't do well in them and if being overweight is a violation
STA/KAR/DK/POL/2006/ENG	57. The applicant writes about how begging is a crime and a shame to the honour of the country and then asks the law enforcing authority if they are aware of the problem and are going to take any measures to stop begging.
STA/KAR/DK/POL/2006/ENG	58. The applicant asks if the People's Union for Civil Liberties is authorised by the DK District to accept complaints against advocates/other individuals or not; whether the PUCL is vested with the powers of any constitutional bodies or not and whether the newspaper called Karavali Ale is authorised to do any of these.
STA/KAR/DK/POL/2007/ENG	59. Copy of the minutes of the meeting held on 28 July 2007 in Permude village on land acquisition for Mangalore SEZ, copy of report and letter sent to the government, status of land acquisition process, where 2035.31 acres of land is involved.

Empowerment Through Information - II

STA/KAR/DK/POL/2007/ENG	60. Copy of action taken report on Gold Finch Hotel, which was functioning without an occupancy certificate, detailed report of action taken on the letter to the Deputy Commissioner from the office of DGP, Karnataka State Fire and Emergency Services.
STA/KAR/DK/REV/2007/ KAN (TRANSLATED)	61. wants to know the names and addresses and age of the freedom fighters that are alive in Puttur Taluk Asks the pension that they get and whether or not their families get pension after their death
STA/STA/MEG/HQ/PWD/2007/ENG	62. The applicant, an association of contractors and suppliers of a district, refers to a letter sent to all executive engineers of the department in the district for certain information, to which the response received was not to its satisfaction. The association now wishes to know why this is so, and asks for the information about details of payments made to contractors, names of works, tender values, and the amounts paid in March 2007, in the district. Also, the association "promises to pay any amount as demanded and feasible".
STA/STA/MEG/HQ/PWD/2007/ENG	63. The applicant, a contractors' and suppliers' association, refers to letters written to all Executive Engineers of PWD, Jaintia Hills District, regarding payments to contractors and suppliers, and says one letter did not get any response, and the response to the other was not satisfactory. Now asks for an expedited detailed response.
STA/STA/MEG/HQ/PWD/2007/ENG	64. The applicant's husband was employed as a JE with the PWD and passed away in August 2004. However, the applicant has, almost 3 years since, not received any of the benefits like death-cum-retirement gratuity, increment arrears, leave encashment, "arrear pension", or his general provident fund. She now asks for the reasons for the delay in releasing these funds and names/posts of officers responsible for the delay, and how long it will be before she receives them.
STA/UP/AZA/POL/2007/HIN	65. Does the police have any information regarding a person (name given), has he been kidnapped? Or has he been arrested in some police case in any nearby area?
STA/UP/BIJ/POL/2007/HIN	66. The applicant had filed a complaint with the police for an alleged threat to the life of his son. He now asks for the status of his complaint and asks what action has been taken and whether a case has been registered against the person concerned. Application filed 6 days after the complaint. He says that he hopes the RTI application will jolt the police to act.
STA/UP/BIJ/POL/2008/ENG	67. The applicant claims that she has been abducted and is now being forced to be a part of a terrorist plot to eliminate the Chief Minister, Mayawati. She now asks for help to free her from the clutches of these "terrorists" and for action to be taken against them. She adds that that she is enclosing the requisite fee for information about action taken on her complaint.

Empowerment Through Information - II

STA/UP/BIJ/POL/2008/ENG	68. The applicant had applied for a passport and wishes to know the name and belt number of the police official who conducted the police verification. Also asks for a copy of the report submitted to the regional passport office, Bareilly. Wants to know where and to whom she can complain if the verifying official submitted a false report due to not being paid a bribe, and what action is usually taken against officers for such acts.
UP/AZA/POL/2007/HIN	69. The applicant presented an application in the office of the district officer on 7/08/2007 and was assured that her application would be considered. She now asks via her RTI application why no action has been taken yet and the designation and name of the senior official who can give her justice in this regard. Apparently desperate, she adds that if the department cannot give her justice it should give her an order to end her own and her children's lives.
UP/AZA/POL/2008/HIN	70. The applicant wants to know how many persons have asked about his behaviour and character and how many persons have sought information related to another named person from the police department using RTI applications. Also wants the name and address of the applicants, copies of their RTI applications, and copies of responses in both the cases.
UP/AZA/POL/2008/HIN	71. The applicant asks for the reasons for cutting down the trees planted by him. In the rest of his application he has mentioned the problems faced by him.
UP/HQ/RD/2006/HIN	72. The applicant, an accounts officer with the department, seeks details of the enquiry report of the rural development commissioner relating to all 'rozgar yojanas' in Balia district for the year 2004, including the dispute over 10 trucks of food grain in Hanumangang. Also states that he had been continuously bringing to light irregularities in 'sampoorana grameen yojanas' and wants to know if the department had received similar complaints from any other official.
UP/HQ/RD/2007/HIN	73. The applicant, a district development officer, asks for a copy of the enquiry report of the incumbent rural development commissioner relating to funds sanctioned and utilised in all 'rozgar yojanas' in Balia district for the year 2004-05.
UP/HQ/RD/2007/HIN	74. The applicant is an official of the 'kshetra panchayat', Hilauli. She refers to a prior communication with the minister and chief secretary, rural development, regarding irregularities in the national employment scheme, and requesting investigation into the same. She now asks for the action taken on her complaint, using the RTI route to do so.
UP/HQ/RD/2007/HIN	75. The applicant has filed the application on behalf of another person who had submitted a written complaint to the department against the gram <i>pradhan</i> and BDO for being made to sign receipt of a house under IAY, while the said dwelling was in fact allotted to another person. The applicant now asks about the action taken on the complaint sent on 05 September 2007.

Empowerment Through Information - II

UP/HQ/RD/2007/HIN	76. The applicant filed for information at the block level in June 2007, and subsequently made frequent visits to the office for information sought, before filing a first appeal, which too did not get any result. He now files this application and appeals to the district authorities to take action against the blatant flouting of rules and misuse of public resources/funds by the block authorities, and expresses fear that if such action is not taken, the RTI Act will be reduced to a mere farce.
UP/HQ/RD/2007/HIN	77. The applicant complains about corruption at various levels in government departments. Hence asks whether any investigation was carried out regarding embezzlement of public money w.r.t. ration cards, pension, and development; whether discrepancies were found in the investigation; whether the people affected by this misappropriation are being fooled. The applicant also wants a list of all the officials, with their designations, who conducted the investigations related to the above-mentioned issues.
UP/JHA/PWD/2006/HIN	78. Wants to know the length and the allotted funds for a proposed road construction in a particular area. Also wants documented proof of the agreement that the proposed road is to run through his farm, for which he has apparently received no proposal/request, because he says if it is not provided, he will go to court.
UP/JHA/RD/2007/HIN	79. The applicant had, in an earlier RTI application, asked for the financial details of his gram panchayat for the period 2000-2007. He now says that the sarpanch has given him details of the last two years, and he does not need the rest of the information any more.
UP/JHA/RD/2007/HIN	80. The applicants complain that their gram panchayat, of which they are members, has not had a single session since their election to it in 2005. They are hence clueless of the developments in their panchayat. They now ask for copies of documents related to development schemes sanctioned for their village and funds spent by the gram panchayat in 2005 and 2006.

PICTURES OF RTI RELATED ACTIVITIES IN BANGLADESH



Trainees attending an RTI workshop in Rajshahi



Santal Adivasi women attending an RTI workshop



An RTI activist being trained in drafting RTI applications



“Infolady” talking with a farmer about the RTI Act



The observance of Right to Know day at the district level



A roundtable meeting at BRAC Centre Inn on the Right to Know Day 2011, organized by the RTI Forum, Bangladesh

Empowerment Through Information - II
PICTURES OF RTI RELATED ACTIVITIES IN INDIA



Using puppetry to spread the message of RTI



Possibly the next generation of RTI activists ... watching a street play on RTI and corruption

Empowerment Through Information - II



A gathering of villagers during a public hearing, a part of the social audit process



A spoof on political corruption and accountability being enacted on the streets



Popular band “Indian Ocean” rocks for the RTI



Women power in an RTI meeting in Delhi

Transparency Advisory Group (TAG)

<http://transparencyadvisorygroup.org/>

One outcome of the regional workshop on “Open and Transparent Governance in South Asia”, held in New Delhi in March 2010, was the recommendation to form a Transparency Advisory Group (TAG) for South Asia, to advise governments, NGOs and other stakeholders in the region on the setting up and strengthening of transparency regimes in countries of South Asia.

In order to ensure that experience and thinking from other regions of the world appropriately informed activities in South Asia, and South Asian experience and expertise was available across the world, it was considered important to include in the Advisory Group, along with representatives of South Asian countries, international experts from other regions. TAG has been formally constituted as of September 2012 and currently has 21 members from all the countries of South Asia and from Mexico, Canada, USA, UK, Australia, South Africa, and Singapore.

Transparency regimes across the world have been typified by individual and institutional innovations on an unprecedented scale. Though the challenges confronting transparency regimes in various countries are often similar, each country has evolved its own solutions. Therefore, there is much to be learnt from each other before the fledgling global movement for transparency reaches full maturity.

Research Initiatives, Bangladesh (RIB)

www.rib-bangladesh.org

Research Initiatives, Bangladesh (RIB) was established in 2002 with financial support from the Royal Dutch Government under its MMRP program. Its main objective is to support research aimed at identifying strategies and programs that could ensure sustainable, progressive alleviation of poverty in Bangladesh. Despite the efforts of successive Governments and many Non-Government Organizations (NGOs) working over the years on poverty mitigation in the country, there are still serious and unresolved issues concerning the self-sustaining potential of these efforts. Lack of peoples’ participation in problem identification and program design, imposition of donor goals and priorities, predetermined resource modalities, lack of local resource mobilization and ownership, and continuing donor funds and expertise dependency often lead to the withering away of these projects soon after the departure of external partners or their resources.

In this milieu, RIB’s approach has been to involve participatory processes from the very design and conception of the research proposal, through the implementation phase to its final presentation, validation and follow up by the researchers and/or community being researched. In this effort we found that the Participatory Action Research (or *gonogobeshona* as it has come to be called in Bangla), promoting processes of collective self-enquiry, self-determination and capacity building, to be a useful method in reaching out to many marginalized communities. Often these communities are not found to be in the development agenda or mainstream Governmental or Non-governmental development agencies and are hence termed as the ‘missing communities’.

