

“Reforming the Processes in the Rural Development Department through Policy and Civic Engagement, based on RTI Act 2005, in Rajasthan, India” (RePoRDD)

Launch cum Orientation Workshop for CGCCs

Jaipur, Rajasthan, June 13-14, 2009

Introduction

CUTS Centre for Consumer Action, Research & Training (CUTS CART) in partnership with the Partnership for Transparency Fund (PTF), US organised a two-day project launch cum orientation programme at Rajasthan Institute of Cooperative Education & Management (RICEM) in Jaipur, on June 13, 2009 under its RTI Project Phase II (RePoRDD), which will be implemented in Jaipur and Tonk districts of Rajasthan. The project was launched in Jaipur with an Orientation Workshop of selected 11 Consortium of Groups for Combating Corruption (CGCCs) from all 11 rural blocks (Amer, Bassi, Chaksu, Dudu, Govindgarh, Jamua Ramgarh, Kotputali, Phagi, Shahpura, Sambhar and Virat Nagar) of Jaipur district.

Objective

The prime objective of this programme was to provide a common platform to all selected CGCC members to orient them about the project goals, objectives, outputs and activities. This event provided an opportunity to the project team to share valuable views of the participants. The workshop was also organised for promoting the use of Right to Information (RTI) Act 2005 and reforming the corrupt processes in Rural Development Department (RDD) so that transparency and accountability in service delivery and decision making processes can be enhanced. All the CGCCs were given a task of filing more and more RTI applications in select schemes like *National Rural Employment Guarantee Scheme* (NREGS), *Indira Aavas Yojana* (IAY) and *Swarnjayanti Gram Swarozgar Yojana* (SGSY) of Rural Development Department (RDD) of the state government.

Participation

More than 75 RTI activists participated in the workshop, which include representatives of more than 40 Civil Society Organisations (CSOs) from the selected 11 rural blocks of Jaipur working on RTI Act. Out of these 40 CSOs, representatives of 30 CSOs were selected as CGCCs. Shailesh Gandhi, Information Commissioner, Central Information Commission, New Delhi was the chief guest of the event and Harinesh Pandya from Maheti Adhikar Gujarat Pahal (MAGP) was the special invitee and external resource person for the workshop.

Proceedings (Day I)

Inaugural Session

The inaugural session began with welcome remarks from Madhu Sudan Sharma, Project Officer, CUTS CART.

“Governance is the buzz word today”, said George Cheriyan, Director, CUTS CART in the introductory remarks. He emphasized the potential of RTI Act as a tool for bringing transparency and accountability in the service delivery and decision-making processes of RDD.

George also shared that after the enactment of RTI Act, there has been a positive change in India's ranking on the "Corruption Perception Index" and this clearly indicates the potential of the RTI Act. He told that there were two reasons for this, the first is low level of awareness among the rural masses about the RTI Act and the second is potential of RTI Act in reducing corruption.



He informed all present about the successful completion of Phase I of the project and the setting up of CGCC as one of the highlights of this project.

George further stated that in the second phase of this project the focus will be on three schemes NREGS, SGSY and IAY of RDD because this department is mainly responsible for implementing various welfare schemes for the rural mass.

In his keynote address Harinesh Pandya from MAGP, Gujarat quoted that "RTI act is the citizen's law, so its implementation is the responsibility of common citizens in an innovative and effective manner". He mentioned the important initiatives of MAGP such as "RTI on Wheels, RTI Saturday Clinic and RTI Open House". He said that that if both demand side as well as supply side are in good coordination then only effective implementation of this Act can be ensured.

Harinesh emphasized that gradually RTI Act is becoming instrumental in restoring trust of the people in the administration. He stated that by filing RTI applications in high number, accountability and transparency could be brought back in the system. RTI Act is not only helping the common people but is also helping the administration since it has reduced the undue pressures that affect their transparency.

Inaugural Address by Chief Guest

In the inaugural address, Shailesh Gandhi, Information Commissioner, Central Information Commission, Government of India enquired, "I would like to ask all the reliant citizens of this self-governing nation that whether they are content with today's administration". Shailesh emphasized that RTI act has so much potential that it can empower the citizens in the true essence of democracy. RTI act is not just an act but it is an important tool, which provides an opportunity to know the truth. He also discussed about the different sections of RTI Act and appealed that for self-empowerment we all have to make the right use of the RTI Act. He agreed to the fact that there is no transparency in the selection procedure to appoint the people for the same.

Shailesh concluded by expressing his fear that further amendment in this act will filch the rights of self-empowerment of the citizens. He put forth the opinion that if the government wishes to make some amendments in the RTI Act then the reasons for amendment should be proactively disclosed to the nation.

Technical Session I

Madhu Sudan Sharma briefed all the participants about the project goals, objectives and activities. He shared that this project aims to reduce the incidences of bribery/corruption and to enhance the level of transparency and accountability in the targeted schemes through the RTI act. He announced the functioning of 'RTI Advisory and Information Cell' from May 01,2009 at CUTS-CART and its contact details as well as general guidelines for this service were provided to all the CGCCs and networkers.



Harinmesh Pandya made a presentation on “Potential of RTI Act 2005 as a good governance tool”. He opined that all governance issues could be solved and public participation would gradually improve through effective implementation of the RTI Act. But only mass awareness will not serve the purpose, there is a need for capacity building programmes in order to bring the desired change. During the presentation he elaborated on some innovative means, which they have adopted by engaging the common mass in exercising the rights under the RTI Act. It has proved to be an effective tool for enhancing accountability and transparency in Gujarat, and the same approach can be used by other states as well to put the law into action, as it should be.

Harinmesh emphasised on that this law could create an impact on both the sides. As on the demand side, citizens feel empowered and it mobilises them towards their democratic rights and on supply side the system gets the message that someone is watching and it minimises the role of agents between the citizens and government officials.

He concluded through the remarks that “This law has great potential but the need of the hour is to bring this act into practice by the common people”

Floor Interventions:

Key issues raised during the discussion are as follows:

- Scope of use of rights under the RTI Act;
- Non applicability of RTI Act on corporate world;

- Usage of the term “substantial funding” in RTI Act;
- Further amendments in this Act; and
- Measures to be taken when government officials deny accepting the RTI applications.

Technical Session II

Madhu Sudan Sharma called upon few CGCC members of Phase I to share their working experiences on RTI and combating corruption, using RTI as a tool. These experiences were a learning for the new members in the Phase II.

He delivered a presentation on “Role of CGCC and proactive citizens of India in to reforming the service delivery and decision-making processes of RDD using RTI as a Tool”. He emphasised on the importance of CGCC formation. He stated that this concept of CGCC is the tested model approach, which was conceptualised and formed in the Phase I of the project. He then discussed the features of CGCC:

- Work as a local resource center for RTI;
- A watchdog against corruption and in support of governance;
- Providing moral support to RTI applicants to fight with corrupt practices; and
- Empowering grassroots CSOs/NGOs for reforming the processes of select schemes namely NREGS, IAY and SGSY.

Interventions:

In last 15 minutes of the session, participants raised certain queries about their roles, problems faced, danger involved in direct confrontation with the government. and their financial dependence on state government departments.

Technical Session III

Session III was on “Role of Policymakers and Service providers” by Harinеш Pandya. During the session he raised an important concern that people are moving away from the administration and hence there is a need. to address this issue seriously. According to him RTI Act is an effective tool for this problem, thus restoring transparency and accountability on the side of the service provider. He also discussed about the detailed procedure of filing the RTI application if in any case Public Information Officers (PIO) deny the application.

He also emphasised that before any amendment in any law or act takes its final shape, its reasons should be clearly disclosed to the public. This should be a compulsion on part of the service providers. But in reality this does not happen. Thus, it is our responsibility that we should force the public authorities to disclose the information.

He stated that the proactive disclosure through the service providers will create the culture of maintaining transparency and openness and it will also streamline the process of record keeping thus reducing the number of RTI requests.. He also discussed the powers and duties of the service providers, and particulars of the organisation.

He also informed participants about Manual 4, 6, 7, 8, 11&12 of RTI Act.

He optimistically proposed that if we ask the service providers for proactively disclosing their information, service delivery process will improve and it will in turn increase transparency and accountability on their part.

Floor Interventions:

Participants intervened with their queries regarding various aspects of the presentation, initiatives taken by MAGP for an effective role of service providers and IEC developed to educate the rural masses in Gujarat.

Technical Session IV

In the last technical session of the day, Madhu Sudan Sharma made a presentation on “Tasks and Targets to be achieved by CGCC”. During this session clear guidelines regarding the tasks to be done by CGCC members was communicated to them. Among which the important ones are:

- Generating awareness level among common people
- Filing RTI application in NREGS, IAY, and SGSY
- Maintaining all records of filed RTI applications
- Exposing at least three corrupt officials and their five corrupt acts in the select three schemes

Floor Interventions:

Some of the points discussed during this session are as follows:

- Problem faced while submitting the RTI application to the concerned departments
- Lack of commitment at the both the sides
- Awareness level regarding the RTI is still very low
- Deny to accept the RTI application
- Lack of information regarding the names of PIOs of every department

During this session resource persons also addressed individual problems faced by RTI activists.

Day –2 (June 14, 2009)

Proceedings:

The second day started with a warm welcome by Madhu Sudan Sharma and a brief about the previous day’s activities and thanked the participants for their cooperation.

Orientation of Surveyors I

During this session Harinsh Pandya informed the participants that it is the responsibility of the PIO to provide the demanded information to the RTI applicant. But in case, PIO denies the sought information then it becomes a worthy case to appeal.

One of the participants raised a very important point that applicants face problems in different departments, since identifying the PIO is difficult. Harinsh put forth the following suggestion:

- RTI applications should be as brief as possible;
- In case PIO asks for a huge amount for disclosing the information then the applicant can ask for inspection of the records;
- At the time of submitting the RTI application, applicant should collect both the receipts i.e. fee receipt and application receipt;
- Applicant should send RTI application through registered post/UPC only if he/she is unable to deposit it personally; and
- Applicants have to pressurise the public authorities through filing RTI applications in bulk in a particular department to reform the processes.

At the end of the discussion he explained the appealing process and suggested certain points to be kept in mind while filing RTI applications and Appeals, which are:

- Sought information should be clear.
- RTI application should always be in the name of PIO of any department with complete address. There is a need to mention the time period between which information is sought.
- A copy of the application and related documents should be maintained for applicant's record.
- At the time of first/second appeal, applicant should attach all the copies, RTI application and received information if any.

Madhu Sudan Sharma made a presentation on “Tools and Techniques of Data Collection”. He spoke on the types of research, research problems, data collection methods and types of survey methods and rapport building with respondents and how to avoid researchers' biases while interacting with respondents.

Manish Tiwari, Joint Director, Social Policy Research Institute, Jaipur also participated as a resource person on day 2 of the workshop and delivered the presentation on Qualitative Tools and Techniques of Data Collection. He discussed the basic concepts regarding data collection such as reason to conduct the research, difference between primary data and secondary data, interview, case study, observation and other methods.

Orientation of Surveyors II

During this session Madhu Sudan discussed the draft survey questionnaires, which are likely to be used to assess the ‘RTI Ground Realities and Corruption Vulnerability Analysis Survey’ and asked for their inputs in this.

Mock exercises were also carried out and appreciated by all the participants as the questionnaire addressed various problems that they might have faced at the time of data collection.

Floor Interventions:

It was an interesting round of questions and answers.

Orientation of Surveyors III

Madhu Sudan also briefed CGCCs about the Feedback forms, which need to be filled by them after asking from all the RTI applicants for the cooperation, and support they got from CGCC members and their suggestions to strengthen the CGCCs.

Floor Interventions:

All the participating CGCCs sought further clarification on some of the questions asked necessarily from RTI applications and about the way (personally or by post) these filed RTI applications and feedback forms have to be sent back to CUTS CART.

Valedictory Session

Harinsh Pandya extended his immense pleasure to be part of this workshop. He appreciated CUTS for its effort and appealed all present that they should obtain as much information about RTI as possible.

George Cheriyan, Director CUTS CART in his concluding remarks thanked everyone for making the event successful. He also stated that it is the responsibility of CGCC members to motivate the people to fight for their rights. Using RTI Act as a tool, our efforts should be directed towards reforming the processes in the RDD and this is the biggest challenge before us.

At the end, Dharmendra Chaturvedi, Assistant Project Officer, CUTS CART conveyed his sincere thanks on behalf of entire CUTS CART family to all the CGCCs for actively participating in the event and Harinsh for effectively facilitating the technical sessions and sharing his valuable hands on experience of mobilising the masses for using RTI as tool in Gujarat

Outcome

- CSO representatives, who were aware about RTI Act 2005, gained in depth knowledge on technical aspects of using this Act effectively and reforming the corrupt processes.
- Shailesh Gandhi's presence boosted the morale of RTI activists and CSO representatives. Media was also very eager to know the views of Shailesh Gandhi on RTI in Rajasthan and India.
- 11 CGCCs became more equipped on the usage of rights to this Act and bringing about a reform in the corrupt processes of select schemes, NREGS, IAY and SGSY.

Event in Media

THE HINDU • MONDAY, JUNE 15, 2009

Activists against proposed amendments to RTI Act

Special Correspondent

JAIPUR: The campaigners for transparency and right to information are worried about the proposed amendment to the country's path breaking law, the Right to Information Act 2005, diluting its effectiveness. If the United Progressive Alliance (UPA) Government goes ahead with the changes, as announced by President Pratibha Patil in her address to Parliament on June 4, nothing good is to come out of it, they insist.

After the Magsaysay award winner Aruna Roy last week expressing serious doubts about the intention behind the move to amend the existing Act, it was the turn of Shailesh Gandhi, Commissioner with the Central Information Commission, to give out similar sentiments here on Saturday. "We have to fight this move as it is not an attempt to improve upon the existing law,"

said Mr. Gandhi, speaking as the chief guest at the launch of an orientation workshop on the second phase of the RTI project being implemented by the Jaipur-based NGO, CUTS Centre for Action, Research and Training (CUTS CART).

"My fear is that with the amendment the present provision in the law to provide copies of file noting would go. In the next 100 days this can happen and the people have to remain vigilant against any such move," said Mr. Gandhi, a businessman turned RTI activist. "People are only familiarizing themselves with the existing law and changes in them would only complicate the situation and obstruct the implementation of the law," he warned. "The Governments in general are no great advocates of right to information," he pointed out.

As such education of the masses was taking considerable time in making the law more effective, Mr. Gandhi, who created a record of sorts in clearing the pending applications with the Central Information Commission, said. "What I have come across while dealing with the applications is that many of the applicants do not know how to seek information. Perhaps people should be taught to be more focused in their queries," he felt.

"In three years the Act has made a big impact. However it should be pointed out that initially only 15 per cent in Rajasthan knew how to file an application under the law to get information. With advocacy their number has gone up to 35 per cent in the past three years," observed George Cheriyan, director CUTS CART.

The collective concern of the civil society organizations (CSOs) was about the dilution of the provisions of the Act to suit the powers that be,

he said.

Harinresh Pandya of JANPAT, a network of civil society organizations in Gujarat, said RTI had rekindled a new hope in the minds of the public on the effectiveness of the system. The law had not only opened up immense possibilities for the ordinary citizen but also was helping the bureaucracy in withstanding undue pressure from the politicians, he pointed out.

The gathering, which included grass root level of RTI activists and CSOs from Rajasthan unanimously resolved to raise their collective concern to the Government of India over the announced 'suitable amendments' to the RTI.

It also asked the Rajasthan Government to take necessary steps for the effective implementation of the RTI act by appointing required number of Information Commissioners and by providing required infrastructure.

राजस्थान पत्रिका

जयपुर, रविवार, 14 जून 2009

सूचना का अधिकार कानून में संशोधन पर चिंता

कार्यालय संवाददाता
जयपुर, 13 जून। केन्द्रीय सूचना आयोग में सूचना आयुक्त शैलेश गांधी ने राष्ट्रपति के अधिभाषण में सूचना के अधिकार कानून में संशोधन के नाम पर कानून को कमजोर करने के प्रयास की आशंका जताई है। गांधी ने शनिवार को यहां 'कट्स' सेंटर फॉर कंज्यूमर एक्शन रिसर्च एंड ट्रेनिंग की ओर से आयोजित कार्यशाला में बताया कि इस कानून को संरक्षण के लिए लोगों ने सरकार पर दबाव नहीं बनाया तो लोकतंत्र बोटतंत्र बनकर रह जाएगा।

उन्होंने सूचना आयुक्तों की चयन प्रक्रिया को पारदर्शी बनाने तथा सूचना आयुक्तों को त्वरित कार्रवाई के लिए बाध्य करने की आवश्यकता जताई है। गांधी ने कहा कि सूचना आयुक्तों को मामलों के जल्द निस्तारण के लिए बाध्य नहीं किया तो सूचना आयोगों में भी अदालतों की तरह प्रकरणों का अम्बार लगा जाएगा। उन्होंने कहा कि सूचना आयोगों के फैसलों पर न्यायपालिका को सहजता से स्थगन नहीं देना चाहिए।

Hindustan Times, Jaipur Live, Sunday, June 14, 2009

Workshop against changes in RTI Act

People appealed to join hands to fight challenges ahead

HT Correspondent

A gathering of RTI activists unanimously resolved to raise voice against the centre's plans to suitably amend the RTI Act. They said that the proposed amendments would dilute the Act's efficiency.

They demanded the state government to take necessary steps for the effective implementation of the Act in the state, including strengthening the state information commission.

This workshop was arranged by NGOs CUTS Centre for Action, Research and Training (CUTS CART) in association with Partnership for Transparency Fund (PTF).

CUTS director George Cheriyan stressed on potential of the RTI to bring transparency and accountability. He expressed the need to generate awareness among rural areas about the Act and its filing process.

Harinresh Pandya of Janpat, a network on the RTI in Gujarat, said that filing RTI applications was a way to establish accountability and transparency in governance.

He said that the Act had benefited the common man and the administration by reducing undue interference from the power holders.

समाचार जगत, जयपुर, 14 जून, 2009

खतरे में है सूचना का अधिकार : शैलेन्द्र गांधी

जयपुर, (का.सं.)। नई दिल्ली मुख्य सूचना आयुक्त शैलेन्द्र गांधी ने कहा कि राष्ट्रपति के अधिभाषण से प्रकट होता है कि आने वाले समय में गांधी ने प्रतिभागियों को बताया कि सूचना के अधिकार में संशोधन कर इसे निस्तेज करने का प्रयास किया जा सकता है। साथ ही उन्होंने बताया कि सूचना आयुक्तों की चयन प्रक्रिया को पारदर्शी बनाया जाए तथा त्वरित कार्यवाही के लिए सूचना आयुक्तों को बाध्य किया जाना चाहिए। जिससे भारतीय न्याय प्रणाली की तरह यहां भी आवेदनों का अम्बार नहीं लगे। गांधी ने बताया कि प्रायः आयुक्तों के द्वारा दिए गए फैसलों पर न्यायपालिका का स्टे इस बेवजह प्रयास से बचा जाना चाहिए।

सेंटर फॉर कंज्यूमर एक्शन, रिसर्च एंड ट्रेनिंग (कट्स-कार्ट) की ओर से आयोजित कार्यशाला में गांधी ने प्रतिभागियों को बताया कि सूचना के अधिकार को बचाने की दिशा में सरकार पर दबाव नहीं बनाया तो लोकतंत्र बनकर रह जाएगा। इस अवसर पर जनपद के प्रतिनिधि हरिनेश पांड्या ने सूचन के अधिकार के प्रचार प्रसार पर बल दिया। पांड्या ने बताया कि भारत में वास्तविक आजादी सूचना के अधिकार आने से हुई। इसलिए सभी लोगों को इसके प्रचार प्रसार व संरक्षण को दिशा में सतत प्रयास करना चाहिए। उन्होंने कहा कि सूचना के अधिकार का बेवजह प्रयास से बचा जाना चाहिए।

डेली न्यूज़

जयपुर, रविवार
14 जून, 2009

चयन प्रक्रिया पारदर्शी होनी चाहिए

सेंटर फॉर कंज्यूमर एक्शन रिसर्च एंड ट्रेनिंग (कट्स-कार्ट) की ओर से झालाना सांस्थानिक इंस्टीट्यूशनल परिया स्थित राइसम परिसर में सूचना के अधिकार पर कार्यशाला का आयोजन किया गया। नई दिल्ली के मुख्य सूचना आयुक्त शैलेश गांधी ने कहा कि सभी सूचना आयुक्तों की चयन प्रक्रिया को पारदर्शी बनाए जाने की जरूरत है ताकि त्वरित कार्रवाई के लिए सूचना आयुक्त बाध्य हो।

Snapshots of the Event

