

Research Needed on RTI Implementation

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A quick look at the implementation of RTI so far conveys mixed messages. First the welcome part. Contrary to the initial disappointment (of some RTI activists) at the end of the first year of the Act, the second year has fared far better and, in fact, the role of the Central Information Commission in particular has been impressive and even enthused pessimists. Some State Information Commissions have done better in terms of invoking the powers of the Act. The disappointment has been particularly on three fronts. Firstly, the political leadership and the political parties by and large have done nothing so far to give a push to the Act as if doing so would adversely attract them. The Government, other glaring aspect is that the both at the Centre and in most States, have done little to create much needed awareness among large sections of the people and to help open an important window of the Act – suo motu obligations maintenance of records, and management. Thirdly, the Information Commission in the States have yet to demonstrate proactive initiatives.

As RTI is forging to complete its second year, it is time to take a look at who is availing of the Act, who is benefiting from it or at least trying to. In fact, from the next year (of RTI) onwards we need to put more serious efforts to know precisely what difference the RTI Act has made to the people and its overall role in various specific contexts. Despite claims of massive training programmes for PIOs in the States, there is no evidence to suggest that have made more people avail the Act or take any follow up action. A look at the way most training programmes are scheduled, organized and the final outcome hardly give picture of seriousness and a strategic approach. The training programmes for those in the system entrusted with the responsibility of implementing the Act, not just the PIOs, need to be more structured.

Certain variations have been perceived in the implementation of the RTI Act among the States and need to know the difference. For example, pros and cons of having Commissions all with retired bureaucrats, different application fee (it is Rs.50 in Haryana as against no fees for BPL card holders or only a symbolic amount for rural applicants in Andhra Pradesh). Perhaps one could say that it is too early to expect a decline in corruption/affecting the citizens. The forthcoming India Corruption Study 2007 by CMS and TII, during the second half of 2007, could through some light on this aspect.

The RTI Act is a means, not an end, for change, equity, activism, citizen participation and good governance. The better RTI is implemented, the better it is for everyone, including for those in the system – contrary to what they think. Their credibility and respect in the society will go up. Even more so for the news media as an institution and for the journalists individually. They can play a more proactive and positive role - irrespective of seniority in the profession, and increase their viewership / circulation.

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A comprehensive review of the performance is unfortunately not possible since hardly a couple of States have come up so far with their annual reports which they are obligated to submit to their respective State Assemblies. Nevertheless, a quick analysis of applications filed under RTI Act indicates that applications (over 75 percent) mostly have been (1) by men as if women are left out or untouched. (Most Commissions have no women Commissioners), (2) mostly by those in power or system, and (3) by those in the metros (in fact most disappointing is that applications from villages were hardly around 10 percent – even in Andhra Pradesh where application fees is only half of what it is (in the urban areas), (4) over 60 percent are for personal or individual reasons or advantage, (5) pertain to service matters, and (6) most of the applications are by the same people (who had filed more applications).

Equally disappointing is the lack of efforts by the Commission to reach out. For example in the case of one important State having multiple Information Commissioners and having a relatively better budget, about 40 percent of the departments having PIOs have not received any application in the year and in the case of another 50 percent of the departments under RTI Act, the number of applications received during the year for the entire State was hardly 10 percent. And the concentration was on just a couple of departments. This is despite claims that PIOs of all these departments were trained. The number of applications from women were too few, unbelievably. This need to be looked into.

Similarly, the activities of the Information Commissions and Commissioners. For example, tours of the Commissioners to outside the State head quarters were mostly to meet officers, which is good but not good enough to sustain the tempo of a movement and enhance the scope of RTI work. Public interactions of Commissioners other than the hearings in the Commission and formal official engagements, were too few. In fact, field visits are too few in the case of many. The number of Commissioners who did commendably in this regard are too few.

All this brings out the urgency to take stock of the “who, what, where, when and how” aspects of usage of the RTI Act in different States. Only then would we be able to take quick corrective actions or interventions – by the Government, by the Commissions themselves and by the civil society groups. That would also help achieve better efficiencies of targeted programmes of the Government. We need to constantly know who or which sections of people are taking advantage of the RTI Act and who is benefiting more. Also, we need to know in more concrete terms the kind of difference campaigns of civil society groups in various parts of the country are making. And, of course, whether there has been any change in the mindset of people responsible for the implementation of massive development schemes as well as those of RTI Act. We need bottom lines now as to awareness levels, response by way of applications, redressal mechanisms, use of citizen charter, social audit, etc, so that two or three years from now we could know more reliably what difference the RTI Act has made and who has benefited the most. We should chalk out a research agenda for this. Many independent professional agencies, like CMS, need to take on this task.
