

Information Commission of Bangladesh

	Resource				
05	Ministry of Information	18	5	0	100/-

4.10 Five Districts to have received the highest number of applications:

Serial Number	Name of the District	Number of received appeals to provide information	Number of decisions taken to reject the information appeals and legal explanation of those decisions	Number of filed appeals and their end result	The fee collected by providing information (in Taka)
01	Comilla	1921	0	0	2333/-
02	Bramhanbaria	1062	0	0	0
03	Rangpur	523	0	0	11, 465/-
04	Naogaon	302	0	0	1262/-
05	Rangamati	253	0	0	0

4.11 Five Non-governmental Organizations to have received the highest number of applications:

Serial Number	a	b	c	d	e
	Name of the Non-governmental Organization	Number of received appeals to provide information	Number of decisions taken to reject the information appeals and legal explanation of those decisions	Number of filed appeals and their end result	The fee collected by providing information (in Taka)
1	2	3	4	5	6
01	Society of Renaissance Bangladesh (SRB), Feni	42	0	0	
02	Transparency	25	0	0	

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	International (TIB), hopuse-141, road: 12, block-e, Banani, Dhaka				
03	BRAC, BRAC Center, 75 Mohakhali, Dhaka	18	0	0	0
04	Wave Foundation, 3/11 Block D, Lalmatia, Dhaka	7	0	0	0
05	Sacheton Sahajja Snagstha (SSS), Sringal Road, Maulavibazar	6	0	0	0

4.12 Implementation of the RTI Act **in assistance with** the NGOs (Case studies and other reports):

Different non-governmental organizations are assisting the Commission to establish the RTI Act. Among them, Manusher Jonno Foundation, MRDI, REIB, BRAC, Nagorik Uddog and Nijera Kori are mentionable.

4.12.1 Manusher Jonno Foundation:

Manusher Jonno Foundation is working individually as well as in co-ordination with the Information Commission. The above organization is leading the NGO's in the movement of establishing the RTI Act. Besides, the organization is encouraging the NGOs to assign Designated Officers to provide information. Manusher Jonno Foundation is conducting several activities to make the Act popular among the general people. Also, the organization is carrying out various awareness programs as well as is providing training to the information officers through the Bangladesh Public Administration Department.

4.12.2 BRAC:

BRAC has been a strong supporter of the RTI movement in Bangladesh and has been an active member of the RTI Forum since its inception. The continuous expansion in range and scale of BRAC's activities has created the need for a specialized liaison, equipped with the training, information and access necessary to strengthen relationship among government agencies, other NGOs, the media and local community members as well as BRAC program staff members; and the need to ensure smooth, consistent and accurate flow of information to a broad array of internal and external audience groups. To meet these needs, BRAC has established the Partnership Strengthening Unit (PSU) at BRAC. Under the PSU, they have created the position of District BRAC Representative (DBR) in all 64 Districts, who are being deployed after receiving a 10-week special training. Currently, the 41 DBRs are working as the 'Designated Officers' required under the RTI Act, 2009 to ensure people's access to information regarding

BRAC and its activities. Besides, the Senior Manager, PSU has been appointed as the 'Designated Officer' at the BRAC Head Office, and the Head of PSU has been appointed as the Appellate Authority. Notably, in 2011, Chief Information Commissioner Ambassador (Retd) Muhammad Zamir exchanged dialogue with the DBRs on the RTI Act, 2009. The initiative of DBR is a part of their continued commitment to ensure transparency and accountability. In addition BRAC proactively discloses information on a regular basis. This organization has already assigned 2 interns to assist the activities of the Information Commission. The annual budget for PSU & DBRs stands at about Tk. 7 core.

4.12.3 Research Initiatives, Bangladesh (RIB):

RIB has executed several activities to establish the RTI Act. The organization has developed a team to collect information by providing necessary trainings.

4.12.4 Nagorik Uddog:

Nagorik Uddog is working to implement the RTI Act in different parts of the country. The organization is carrying out various programs to make the rural society aware of the RTI Act and also to grow their interests.

4.12.5 Management and Resource Development Initiative (MRDI):

MRDI is a non-governmental organization which is working to establish the RTI Act. The organization trains the civil society and journalists about the RTI Act and provides guidelines to private organizations about the provision of the Act. Journalists are an important part of the society who can bring change in the society by using the RTI Act effectively. The RTI Act can help the journalists in their endeavors to make investigative reports. Many journalists have unearthed valuable information by using this Act. Some case studies of MRDI are being given below:

4.12.6: Nijera Kori:

Nijera Kori is using the RTI Act in empowering the women. The organization is working to reach the Act to the root level of the society.

The organization has arranged several training program which included the landless men and women of the rural society. Besides, arranging regular discussion sessions, staging dramas regarding the RTI Act were also amongst its activities. Hence, the deprived people are being capable of obtaining sought information from the various government institutions of the country. Also, the other sectors of the society are becoming aware of this Act and consciousness is growing among the people.

Reports regarding the RTI Act have been obtained from the district administration and ministries/departments. The ministries have provided information reports based on the ministerial activities and the district administrations have provided information report on the district level activities. The private organizations have provided their activity reports individually. Below, the analyses of these reports are being presented:

4.13 Analysis of the reports obtained from the Ministries:

The analysis of all the reports obtained from ministries of the country reveals that a combined application of 2335 has been filed in the ministries and departments in 2011. Of all the applied requests, 2198 (94.13%) have been responded with sought information and the rest have been discarded. The requests have been rejected under the provision of section 7 and 8 of the RTI Act. In the year 2011-2012, the ministries have earned taka 1,991,874 by providing information.

However, only 18 ministries have received requests for information out of the 54 ministries of the country.

Further analysis of the reports show that Bangladesh Public Service Commission has received maximum number of requests for information (1831) and earned maximum amount of money (taka 19,89000) in 2011. In addition, the departments under the Ministry of Finance have received 329 applications among which 300 applications have been answered.

4.13.1 Analysis of reports obtained from the districts:

Analysis of the reports obtained from districts of the country reveals that, a total number of 4698 reports have been obtained from the districts and sub-districts. Among them, 3183 applications were submitted in Chittagong which is 68% of the total number of applications. Out of all, 4629 (98.74%) applications have been answered with the requested information, 54 (1.17%) applications have been discarded and 5 (0.11%) applications are under consideration. The discarded applications have been rejected under the provision of section 7 and 8 of the RTI Act. In spite of providing information free of cost in most cases, the districts have earned taka 23,308 in 2011.

Analyzing the reports obtained from the 64 districts of the country, it was found that 31 districts have received no application for information. Further analysis reveals that, most of the applications have been filed in the district administration office of Comilla (1089). The obtained reports substantially reflect that, the RTI Act has been best implemented in Comilla as most of the offices of this district received applications for information. Besides, all districts of Rajshahi division received requests for information except for Shirajganj and Bogura districts. On the other hand, the Sylhet division received no application in the year 2011.

4.13.2 Analysis of the reports obtained from the NGOs:

Analysis of reports obtained from the 200 registered NGO's under the RTI Act shows that, except for 15 NGOs, no other organization have received any request for information. The organizations who received application for information are: Shacheton Shahajjo Sangstha, Development Research Network (D-Net), Ankur ICT Development Foundation, Agragati, Wave Foundation, BRAC, Bachte Shekha, Integrated Special Development Effort (ISDE), Karitash Bangladesh, Proshika, Mrochao Chain Chap Inguasia, Transparency International Bangladesh and Society of Renaissance Bangladesh, Development Initiative for Human Advancement (DIHA) and Unnoyon Shongho.

137 requests for information have been filed in the above organizations in 2011, amongst which every request (100%) has been responded with information. In spite of providing information free of cost in most cases, the Society of Renaissance has collected taka 550 by providing information. Hence the money earned by providing information at the NGO level is 550 in total.

Further analysis of the reports reveals that, out of all the NGOs, the Society for Renaissance has received the highest number of applications (42). However, a significant number of requests have been made orally, which reflects the desire of the general people to know information.

4.14: Analysis of oral information requests:

Both the government organizations and NGOs have received oral requests for information. However, all oral requests were not considered as oral in the first place. Information Officers of some districts (Bhrammanbaria, Chandpur, Jahlakathi, Patuakhali, and Patia upo-zilla of Chittagong district) included the oral requests in the list of formal applications for information and sent them to the Information Commission. While analyzing the reports, the Commission discovered the abnormality in the reports and took immediate measures to aware the respective Information Officers to follow the correct format of reporting and to encourage the people to use the RTI form in making requests.

Also, in many districts, the officers have pro-actively disclosed information by availing them in the notice boards. The oral requests for information are in other word the reflection of the people's desire to know information. However, oral applications were made as people were not aware of the use of RTI format and oral requests were seemingly the easier way of obtaining information. Notably, most of the oral requests have been answered, which shows that the government organizations are becoming considerate toward the right to information of people and the use of RTI Act will gradually arise if people keep requesting for information this way.

4.15 Revenue and expenditure of the Information Commission:

In the fiscal year of 2011-12, taka 720.73 lakh has been allocated for the Information Commission. Following is the budget of the Information Commission:

Code no.	Name of the sector	budget allocation for 2011-12	Expenditure of July-December 2012 (6 months)	Comments
5901	Wage	99.25	20.68	Expenditure has been low as some employees are yet to be appointed
5901	Benefits	496.02	51.25	
5998	Other expenses	125.46	1.48	
	Total	720.73	73.51	

CASE STUDY-1

Manoshi Chakma, a former Proshika staff, House No.-51-52 (1st Floor), Road No.-A, Block-A (J), Mirpur-6, Dhaka-1216 submitted a complaint to the Chief Information Commissioner in 31 October, 2010 informing that she appealed in 29.07.2010 following Section 8(1), RTI Act 2009 to the Designated Officer of Proshika Human Development Centre, Proshika Bhaban, Mirpur-2 to get a copy of the regulations in order to get provident fund, a list of the decision makers who suspended the process of her fund and a copy of their decision. Being unsuccessful to get information within 20 days of the application, she applied to Appellate Authority following section 24. The Appellate Authority did not respond even after 15 days of the application. Therefore, she appealed to the Information Commission.

The Information Commission arranged a hearing session where the director of Proshika Mr. Golam Faruq Khan was present as defendant. The complainant informed that she has received her due taka 39,918 but not the required information. In response, Mr. Golam Faruq Khan informed that formation and operating procedure of provident fund was available only to the staffs of the organization. Though he added that the rule was going to be amended very soon. Once the rule was amended, the sought information could be collected from the Human Resource Division.

Though the complainant received her money, an order was issued following the section 4 & 7 of the RTI Act, 2009 to provide her the sought information.

In spite of trying in several manners, the complainant Proshika staff failed to get her money. When the Information Commission summoned the authority, the organization, soon after receiving summon, paid her the due amount. The complainant received her money within a very short span of time, which is a luminous example of the RTI Act implementation.

CASE STUDY-2

Dr. Shamsul Bari, House No.-7, Road No.-17, Block-C, Banani, Dhaka-1213 and Chairman of Research Initiatives Bangladesh (RIB) submitted an application to Sheikh Abdul Mannan, Designated Officer and Member, Planning, RAJUK, RAJUK Bhaban, Motijheel, Dhaka-1000 to get copy of rules and regulation on the establishment of buildings in any area; the procedure to take action against the establishments in non-residential area and the concerned file on the opinions of the inhabitants. Failing to get information after 20 days of application, he appealed to the Appellate Authority on 14.07.2011 following section 9(1) of the RTI Act, Having received no response from there; he filed a complaint to the Information Commission on 18.08.2011.

The complaint was taken into cognizance by the Commission, therefore summoned the relevant parties on 13.10.2011. In response to the complaint, Sheikh Abdul Mannan informed that he has already provided the sought information. But the complainant informed that he has not received any information regarding his first application requested on 29.05.2011. The Commission checked the case thoroughly and found that the sought information in the first and second phases were almost the same. Yet, the

Information Commission ordered to give all the required information and let him see all relevant documents. Thus, Dr. Shamsul Bari got to see the required documents and expressed his satisfaction.

CASE STUDY-3

Sheikh Ali Ahammad, son of Late. Sheikh Md. Abdul Aziz, 31/3, Masdair Link Road, Sub-district-Fatullah, District-Narayanganj, applied to Araihaajar Sub-district Health and Family Planning Officer to get a copy of information regarding Mr. Mamun, Thana - Fatullah, District – Narayanganj, if was admitted in Sub-district Health Complex as a patient from 7/04/2009 to 11/04/2009; and a copy of information if Mr. Hanif Haulader, SI of CID Department, had asked for any requisition for information to the Sub-district Health Complex regarding this matter. Having received the request, the Sub-district Health and Family Planning Officer formed an investigation team and ordered to submit a report. The complainant, being informed about the completion of investigation, sent a reminder on 02.03.2011. Yet, he did not receive any response and therefore appealed to the Appellate Authority who was Dr. Md. Khorshed Alam, acting Civil Surgeon. The Civil Surgeon sent a letter to the Director General of Directorate of Health to know the provisions for a general citizen to get information. In response, the Director General referred the Law Officer and ordered to provide information. The complainant was informed from the Civil Surgeon Office that a letter was sent to the Sub-district Health and Family Planning Officer and asked him to collect the sought information from there. But Dr. Md. Golam Mostafa from Upazilla Health and Family Planning Office informed him that a new investigation team would be formed to collect information. In this regard, Sheikh Ali Ahammad filed a complaint to the Information Commission on 24.04.2011 informing his experience of harassment.

The complaint was taken into cognizance and served summon. Upazilla Health and Family Planning Officer informed that he provided the information to the complainant. But the complainant informed that the information was confusing and incomplete.

After hearing and considering the views of both sides, the Commission decided that by ignoring Civil Surgeon's direction and providing partial and confusing information, Dr. Md. Golam Mostafa, Upazilla Health and Family Planning Officer, has violated the RTI Act, 2009. The Commission ordered Upazilla Health and Family Planning Officer to provide the required information within seven days and fined him Tk.1000. The Commission also warned the Civil Surgeon Dr. Md. Khorshed Alam to be more responsible in future.

In his defense, Dr. Md. Golam Mostafa filed a writ petition in the High Court. But the High Court rejected his writ petition; therefore the order of the Information Commission prevailed.

CASE STUDY-4

On behalf of Bangladesh Environmental Lawyer's Association (BELA) Ms. Saima Afroz, Monitoring and Evaluation Officer, House-15/A, Road-3, Dhanmondi Residential Area, Dhaka-1205 requested for information to the Designated Officer of

the Directorate of Sea Transport regarding (a) a list of the ships to have received NOC according to the declaration of the court (b) name of the NOC providing officers (c) evidence of fulfilling the requirements of NOC certificate imposed by the Directorate of Environment (d) list of imported ships (nature, weight and waste list) (e) a copy of NOC and certificate of waste-free ships (f) countries those ships were being imported from and if they were enlisted in the Basel Convention .

Being unsuccessful to obtain the required information within the due time, she appealed to the Appellate Authority. Receiving no response from that end, she filed a complaint to the Information Commission. The Commission took the complainant into account and served summon on the respective authorities. The accused officer attended the hearing and informed the Commission that they have already provided the information. But BELA authority was not completely satisfied with the provided information as they required detailed information, therefore asked for an opportunity to inspect the sought documents.

After the hearing on 09.02.2012, the Information Commission ordered the Designated Officer of the Directorate of Sea Transport to provide BELA the required information and provide them the opportunity to inspect the documents. Thus, BELA got the opportunity to inspect their sought documents.

CASE STUDY-5

Mosharrof Hossain, inhabitant of Daudkandi Sub-district, Mohammadpur Union, borrowed money with high interest rate to arrange capital for his three sons to send them abroad for employment. He sold his land and house in this process. In this way, he managed taka 3,09000 and gave it to Messer's Al-Mokhles Enterprise.

Even after passing a long time, the mentioned recruiting agency did not inform him about any executed initiative regarding his sons' employment. Mosharrof Hossain with his twelve family members started facing serious scarcity in managing their financial need. In such a critical situation, Mosharrof came by an organization named 'Assistance for Human Resource Development with Technology' (AHRDT) and enrolled himself as a MRPC Committee member. He learned much necessary information on migration from this organization. To seek justice, Mosharrof submitted an on-line complaint to the BMET about the cheating of the recruiting agency and went to BMET for hearing as well, but failed to get any result. MRPC and AHRDT also were unable to help him in this case.

In 2011, Manusher Jonno Foudation arranged a workshop on right to information in Daudkandi, Comilla. MRPC and AHRDT members attended the workshop and they learnt how people can take measures against violation of rights through the RTI Act. Participants were made aware about the actions they should take in case they were deceived by an organization.

Mosharrof, being aware about the RTI Act, appealed to the BMET to get a copy of the judgment. But he was not provided with any response, which led him to file complaint in the Information Commission. Soon after filing complaint, he received a letter from the BMET Director informing that his complaint was true and BMET ordered to

Messer's Al-Mokhles Enterprise to pay Mosharrof taka 2,52,000. If they violate this order, BMET will take action against them following the Immigration Ordinance 1982.

CASE STUDY-6

SAFE, a non-governmental organization, needed to know the number of Prawn Processing Organizations who pay the minimum wage to the labors to plan their activities ahead. SAFE staff Asaduzzaman applied to the Designated Officer and Deputy Principle Inspector of the Directorate of Labour, Khulna following the RTI Act, but the officer denied accepting his application. Being helpless, Asaduzzaman re-requested for the information through a registered letter, but he did not get any response within due time.

Afterward, he appealed to the Appellate Authority (Principle Inspector, Directorate of Labor) using postal service. In response, the Chief Inspector of Khulna Division issued a letter recommending providing the information to the Deputy Inspector. The relevant department requested Asaduzzaman to submit a written appeal for the information addressing the Deputy Inspector. But even after following the procedure, he received no response from the authority. Therefore, he filed a complaint in the Information Commission. Coincidentally, he received a letter imparting the sought information at the same day he filed the complaint in the Commission, though the provided information was not accurate and did not follow the RTI Act.

During the hearing process, Asaduzzaman presented evidences to prove his ground. After assessing the evidences, the Chief Information Commissioner ordered the Deputy Principle Inspector to provide accurate information within one week. Also, he rebuked the two colleagues of the respondent for not being helpful toward the applicant. Finally, Asaduzzaman succeeded in receiving his sought information.

The RTI Act has accelerated the official activities of the relevant organizations. At present, all the prawn processing organizations out of 37 are disbursing government declared minimum wage. The directorate is now more active in providing information.

CASE STUDY-7

Ms. Doli Akter, President of Bakterpur Union Polli Shomaj (Grassroots Forum of the poor, especially women) of Kaligonj Sub-district, Gazipur, under BRAC Community Empowerment Program, was selected as “*Tathayabandhu*” (Information Friend). She received “*Tathayabandhu* Training” in 2011 through BRAC’s Creating Awareness on Right to Information Law for Community Empowerment Project. From this training she learnt the rules and regulations to obtaining information and details about the RTI Act.

Md. Soleman Mian, a poor farmer of Mohani village, approached to Ms. Doli and expressed his interest to know about land mutation, time, expense, required documents and other relevant information. In succession, with the help of Doli Akter, Soleman Mian applied to the Kaliganj Sub-district Land Office to know the above information using the RTI Act on 17th November, 2011 and received his sought information on the

same day. Using this information, Soleman registered one *bigha* (approximately 0.33 acre) of land with only 252 taka fee. Soleman expressed his satisfaction this way, “Last time I wanted to know about the fee, the authority demanded 10 thousand taka. But now I am very pleased to complete this mutation with such a low amount and within a short period of time.”

CASE STUDY-8

There are a large number of landless people among Robidas community living in Syedpur Sub-district, Nilphamari. They have a long desire to get sanction of *khas* land from the government, but until now they have failed to get any such allotment. Mithun Das, member of mass research from the Research Initiatives Bangladesh (RIB), appealed to the Assistant Commissioner (Land) using the RTI format to obtain the following information: (1) the number of total *mouzas* in 5 no. Khatamodhupur Union; and (2) a copy of *khas* land in each *mouza* of Khatamodhupur Union excluding of the road and allocated land according to the no. 1 *khotian* of no. 8 registrar.

After three days of application submission, Assistant Commissioner (Land) made a phone call to Mithun Das and asked the rationale of requiring information about *khas* land. Mithun Das informed him his awareness about the RTI Act and requested the AC (Land) to provide the required information. Therefore, on the 20th day of application, Mithun Das received a letter from Syedpur Sub-district Land Office informing that he was requested to pay taka 7.00 as the fee of information within five working days. To make the payment, he went to the land office but faced trouble to deposit the money. Finally, he made the payment through revenue stamp and received a photocopy of all required documents on the same day.

The government officers, though at the first place were reluctant to provide information, later provided the information being obligated to the RTI Act. Now obtaining information is easy if people know how to appeal using the RTI Act.

CASE STUDY-9

For a very long time, the Khagrachori Sadar Hospital has been incompetent in providing health service to the patients. Milon Chakma, a member of the RTI Project, Research Initiatives Bangladesh (RIB), raised a proposal to appeal to the Designated Officer of the hospital and did so on 27th June, 2011, asking for the following information: 1. a list of free medicine 2. A copy of the price required for M.R service.

After a few days of submitting the application, Milon Chakma received an invitation from the hospital R.M.O to meet him. When Milon Chakma went for the meeting, he realized that the R.M.O were not aware of the RTI Act, so at first he misunderstood Milon Chakma of having an issue with the doctors of the hospital, therefore he wanted to be a mediator. But after hearing about the RTI Act, the R.M.O expressed his pleasure and provided the sought information to Milon Chakma within a few days.

By reviewing the information, Milon Chakma came to know that the hospital was providing 77 types of medicines and M.R delivery service was provided at free of cost.

Therefore he, with the help of his organization, decided to disseminate this information to the mass people. Currently, their initiative to make people aware of accessing information using the RTI Act is going on.

CASE STUDY-10

Hasan Eusuf Khan lives in Gazipur. His mother Khurshid-Un-Nahar complained against the officers and staffs of Sub-district Land Office on the ground of corruption to the Deputy Commissioner. The Deputy Commissioner ordered the Sub-district Executive Officer to investigate the truth. After the completion of the investigation, the Sub-district Executive Officer submitted a report to the Deputy Commissioner. Afterward, Hasan Eusuf Khan requested to the SA branch of the Deputy Commissioners' Office to show the report, but the authority denied availing him the file as that was an official investigation report. Therefore, he was compelled to use the RTI Act, 2009 to retrieve the information.

As the RTI prescribed application format was not available, he used white paper to make the application and submitted that in the Deputy Commissioner's Office. The Office suggested him to apply to the Designated Officer of the Sub-district Office. After going to the Sub-district Office, he learned that the Sub-district Youth Development Officer was the only Designated Officer for all Sub-districts (according to Act, there should be individual Designated Officer for each Sub-district). Hence he appealed to the Sub-district Youth Development Officer.

Since the Designated Officer had little knowledge about the RTI Act, after receiving the application he forwarded that to the Sub-district Executive Officer and the authority held the application without taking any action.

When Hasan Eusuf Khan went to the Sub-district Office, he came to know that the Sub-district Executive Officer did not take any action regarding his application as he was unaware of it. Therefore the Sub-district Officer referred him to the Sub-district Youth Development Officer from where he was able to obtain his desired information. The information he attained using the RTI Act, resolved many of his land related complexities.

Hasan Eusuf Khan submitted another application to the Deputy Commissioner's Office to know the actions taken against the accused officers/staffs. The Deputy Commissioner's Office responded that since the matter was subjected under divisional judgment, the information was exempted by the section 7 of the RTI Act.

CASE STUDY-11

Though Mosharrof Hossain was a marginal farmer from Banaripara Sub-district of Barisal District, he never received any help from Banaripara Sub-district Agriculture Office. He realized that the allocated agriculture resources were not being properly distributed among the farmers. Also, he assumed that there were irregularities in IPM Club and ICM School operations. One day, he got introduced to a journalist named Mijanul Islam who learnt the RTI Act from a workshop arranged by Nagorik Uddoyug

and Right to Information Movement in Banaripara. Mijanul Islam sensitized Mosharrof Hossain about the Act.

Therefore, in assistance with Mijanul Islam, Mosharrof Hossain appealed to the Banaripara Sub-district Agriculture Officer following the RTI Act on 17th May, 2010 to obtain the following information: 1. account of allocated money for irrigation machine, irrigation lane, power tiller, others instruments, fertilizer and seed as well as a list of their distribution 2. a copy of the list of IPM Club, ICM School and farmer trainings, 3. condition of undistributed agricultural tools.

Sub-district Agriculture Officer Haridas Shikari denied accepting his application. Being unsuccessful to obtain information from him, Mosharrof Hossain appealed to the Sub-district Executive Officer on 31st May, and the Officer forwarded the application to the Sub-district Agriculture Officer.

In action, the Sub-district Agriculture Officer sent a letter to the Deputy Director of the Directorate of Agriculture Expansion, Barisal Region on 30th June, 2010. Also, he sent a copy of the letter to the Sub-district Chairman and Sub-district Executive Officer. The Sub-district Executive Officer informed Mosharrof Hossain about the progress through an official letter. On 12th July 2010, Deputy Director Bikash Indu Mandal asked for suggestions from his higher authority, which was the Additional Director of Directorate of Agriculture Expansion, Barisal Region. On 26th July 2010, the authority informed Mosharrof Hossain that his request has been overruled considering the information as classified according to the B form of the RTI Act.

On 19th September 2010, Mosharrof Hossain appealed to the District Agriculture Officer regarding this issue, but the authority did not accept that application informing that they are not authorized to disclose that information. Afterward, Mosharrof Hossain sent a copy of the application to the Deputy Commissioner. In this process, the Deputy Director Bikash Indu Mandal informed him through a letter that a letter was sent to the Additional Director imparting his appeal. A copy of the letter was also sent to the Sub-district Chairman, Sub-district Executive Officer and Sub-district Agriculture Officer.

After the expiration date for appeal dismissal, Mosharrof Hossain, on 2nd August 2010 submitted a complaint to the Information Commission through postal mail. On 22nd March 2011, hearing on his complaint took place in Information Commission. At the end of the hearing, Haridas Shikari was rebuked for his activities regarding Mosharrof Hossain's application and ordered him to provide the sought information within a fixed time. A new hearing date (17th April, 2011) was fixed at the end of the process. Notably, the 523 pages information was delivered to Mosharrof Hossain before the deadline.

Sub-district Agriculture Officer Haridas Shikari, Deputy Director Bikash Indu Mandal and Additional Director of Barisal Region were present in the final hearing date. On that day, Mosharrof Hossain complained that the provided information by the authority was incomplete. Therefore, the Commission fixed another date to provide information and ordered to follow the RTI Act properly. Within a very short time, Mosharrof Hossain received more than 300 pages information. The victory of Mosharrof Hossain inspired many others as a large number of applications were submitted to various authorities following this incident.

CASE STUDY-12

Masud Rana went to the Barisal City Corporation Office to collect his birth certificate, but was refused by the authority to provide the document and asked him to come some other day. Later, he went to that office several times, but did not get the desired certificate. After passing someday this way, he came to know that his certificate has been lost from the City Corporation Office. Thereafter, when he went to the authority, The Designated Officer asked him to apply for the document again. Even after applying for the second time, he was not provided with the document and was harassed. At one point, Masud Rana came to know about the RTI Act, 2009 from a workshop arranged by Nagorik Uddoyug.

Afterward, he applied following the RTI prescribed format to the Designated Officer of the Enex Bhaban of Barisal City Corporation to know about the status of his birth certificate which was prepared during Birth Registration Campaign on 27th October, 2010.

The Designated Officer for Birth Registration requested him to withdraw his application with the promise of helping him to get his certificate. Thus, Masud Rana was successful to obtain his Birth Certificate.

CASE STUDY-13

All the documents and evidences on child death caused by toxic Paracetamol got missing. As a result, case resolution on child death became more complex and it was made inoperative for seventeen years. This news was promulgated in 2010 when Imran Hossain, a reporter of The Daily Star, appealed to the Directorate of Medicine Administration to get the relevant information on child death incidence. Beside the organization, he appealed to other 9 government organizations and NGOs including Ministry of Health, Police Administration, Joint Stock Company and BSTI to get the information. None of these organizations had appointed any Designated Officer that time. The Joint Stock Company denied accepting any written application informing that their information was open for all and they would pro-actively disclose information when needed. Notably, among all the organizations, only Joint Stock Company provided some information regarding this issue. All other organizations remained silent due to unavailability of information.

To obtain information, Imran Hossain appealed to the Appellate Authority, but failing obtain any from there led him to file a complaint in the Information Commission on 13th March, 2011. On 14th March, the Information Commission issued an order on the relevant organizations to take immediate action. Ten days later, 4 organizations replied in written format informing that none of them had any information about that incident. Until now, the Ministry of Home Affairs and the Ministry of Health have not preserved their information following the RTI Act, 2009.

Though Imran Hossain did not get his desired information, he depicted a picture of corruption, irregularities and irresponsibility to the general people which played a great

role in making the authority conscious on their responsibilities. This news was published in The Daily Star (19th October 2011) under the headline “Deaths from Toxic Paracetamol, All records ‘lost’ from drug office, Finds The Daily Star inquiry; disappearance of evidence deals blow to pending cases”.

Following this example, the Management and Resources Development Initiative (MRDI) and the World Bank Institute have taken an initiative to increase the skill of the reporters and decision makers of the Bengali and English newspapers and TV Channels. The motto of the training program was to make the journalists conscious and inspire them to use the RTI Act in making investigative reports. Imran Hossain also participated in the training program as a participant.

CHAPTER-5

Reformation Proposal on RTI Act and its Implementation

5.1 Opinion/Proposals from Secretaries of Different Ministries/Departments

5.1.1 Mr. M. A. N. Siddique

Secretary, Department of Roads, Ministry of Communication

Chief Information Commissioner/Information Commissioner/Secretary can attend the monthly Divisional/District Commissioners' meeting. Their presence and valuable discussions on RTI Act 2009 will inspire and create awareness among Divisional Commissioners/District Commissioners.

In our country print and electronic media personnel are not keen about investigative news collection and publication. So, in most cases they do not intend to collect information following the prescribed RTI Act application format. They usually demand information directly on the spot. So an initiative can be taken to change their mindset for coming out of this practice.

5.1.2 Mr. Md. Mojammel Hoque Khan

Secretary, IMED Ministry of Planning

RTI Act, 2009 is a well written effective document/manuscript. It will work as a force for ensuring the accountability, transparency, anti-corruption and establishing good governance in Bangladesh. The ultimate goal and objective of this manuscript will be achieved if it can be reached to all people in the simplest description and also if all the Government and Non-Government Organizations effectively follow, exercise and implement all the described section in this Act. Through proper implementation of this act the image of our country will be outshined both at home and abroad and also it will drive the country towards affluence.

5.1.3 Mr. Bhuyian Shofiqul Islam

Secretary, Ministry of Planning

RTI Act will help to achieve citizen rights. In this regard, it is a great initiative. This Act is a sign of prove that we are moving forward to democracy. I wish the vast publicity and effective implementation of this Act.

5.1.4 Mr. Md. Abu Taher

Additional Secretary, Department of Fuel and Mineral Resources

It is the constitutional right of a citizen to know the correct information. To put into action of this right, RTI Act 2009 has been drawn up/formulated. The successful implementation of this act will play an important role to improve the living standard of general people through ensuring the availability of information according to their demand.

Since this Act has been introduced only two years ago, it needs vast publicity, especially the grassroots people who lives in rural area need to have a clear idea about their right to know information and also about the way how they can get this information.

Some parts of this Act need to be revised-

- The concept of appellate authority/administrative head should be clearer.
- Delegation of appellate authority can be considered.
- When anyone applies for information, the purpose should be clearly written to check out the relevance of requiring this information for that particular person/organization.

I wish the effective implementation of this Act.

5.1.5 Mr. Md. Mahfuzur Rahman

Secretary, Parliament Secretariat

In the RTI Act both information giving and receiving is inter-linked. So this process will be more successful if the information receiver party (specially print and electronic media journalists) should undergo training that the information giver officers do before starting their duty in practical field of information giving out.

5.1.6 Mr. Md. Rofiqul Islam

Secretary, Ministry of Information and Communication Technology, Agargaon, Dhaka

This Act is an effective initiative for ensuring good governance and anti-corruption. We are very optimistic to eliminate troubles, but at the same time we have limitations also. Citizens should know detail about the Act, other wise they will fail to take the advantages of this Act. Off course, there is a chance of misuse of this Act. Sometimes people demand information in reactive way rather than proactive. It should be judged again.

Still we have confusion about which one is information and which is not. So, we need to be clear about people specially journalists are demanding for information. However, I wish successful implementation of this Act, establishment of good governance and elimination of corruption.

5.1.7 Mr. Syed Manjurul Islam

Additional Secretary, Finance Division, Ministry of Finance

1. Free flow of information can play a remedial role for a happy, prosperous, poverty free and sensitized Bangladesh. It will also ensure good governance, democratic process and empowerment of people which will boost financial growth.
2. Proper application of RTI Act and removal of all hindrance for free flow of information, we need to change the traditional mentality of information dissemination. Practice of this Act and overcoming some functional limitations, there is a remarkable change at the free flow of information. Some opinion in this regard are as the following:
 - Offering training for relevant profession and organization for providing information. Fixation of some behavior rules.
 - There should be a provision of delegation of power of the organization head for appeal mitigation if necessary.
 - Information Commission can take an initiative to monitor different organizations activities to supply and updating their information in websites and also the visitors' information.
 - Organization will have to work with a mentality to do a vast job and also to discourage tricky information demand.
 - Organization will have to be strict to realize take the bill for information supply and also sanction a portion of the previous year earned money to meet up the cost of the present year.

5.1.8 Mr. Khondoker Md. Asaduzzaman

Secretary, Ministry of Defense

I consider the introduction and implementation of RTI Act as an important achievement for ensuring transparency and accountability, anti-corruption activities and establishing good governance. In this moment, the most vital initiative need to be taken is to identify and remove all the obstacles and difficulties for the implementation of this Act. For this, awareness publicity should be initiated for all who are giving and who are receiving information.

5.1.9 Mr. A. M Mortuza Hoque Chowdhury

Additional Secretary, Ministry of Commerce

In a democratic society, it is citizen's right to get information. RTI Act 2009 is seemed to be perfect. Now the challenge is the proper implementation. Citizen who need the information need to know at first where and how they will get these information. It is urgent for transparency and accountability.

5.1.10 Khondoker Moshtaq Hossain (Ph.D)

Secretary, Ministry of Grihayan & Ganopurto

RTI Act is very relevant, necessary and contemporary. This Act is very important for establishing transparency and accountability, anti-corruption and ensuring good governance. But its success depends on the practice and implementation of this Act. Information Commission is aware about that. From its establishment Information Commission is arranging training for the staffs and informing all about their duties. As a new initiative, it has limitations which are expected to be recovered day by day.

5.1.11 Mr. Ujjal Biswas Datto

Secretary, Ministry of Fish and Animal Resources

RTI Act is formulated very recently. As a result many people are not well informed about this Act. So, it needs huge publicity to create more awareness among people. In a democratic state system there is no other alternative of the free flow of information to establish transparency and accountability.

For a long time, we have experienced a culture of confidentiality which is now the most vital challenge for the implementation of RTI Act. To break this tradition, we need to bring positive change in society and mindset of the people. To do this a wide window will have to establish through chemistry among all people irrespective of class and profession.

Initiatives taken by all individual ministry and organization will make the Act more effective and strong. Willingness and commitment from all official related to different organizations can play effective role for its success.

5.1.12 Surayia Begum NDC

Secretary, Ministry of Cultural Affairs

Introduction and application of RTI Act bears enormous importance for the free flow of information and ensuring the information rights of the citizens. For the implementation of this act, all the ministries and organizations will have to take initiatives and at the same time the interested people who want information need to be well informed about their rights.

Proper implementation of this Act will increase transparency and establish good governance.

5.1.13 Mr. Muhammad Humayun Kabir

Secretary, Ministry of Health and Family Welfare

RTI Act 2009 is an important document. This Act can play vital role for establishing good governance and accountability. It can act as a bridge between government and citizens. In this regard, awareness from government officials is also necessary. Since it is very new, there may be lack of awareness. All officials need to be positive minded toward this Act and also they need to enhance their capacity. Information Commission can play vital role in this regard.

5.1.14 C. Q. K. Mushtaq Ahmed

Secretary, Ministry of Agriculture

Since we have lacking in citizen responsibility, we have to maintain confidentiality in decision making. Sometimes, agriculture related information throws impact on prices of daily food need which affects citizen right and socio-political stability. So, it can not be expected that within short time we will get a final result of this Act. Some people can misuse the service available by this act. So, it should be noticed.

5.1.15 Mr. K. H. Masud Siddiquee

Secretary, Ministry of Industry

RTI Act is a milestone in regard to the establishment of democracy in Bangladesh. In the last ten years, we have huge achievement in our socio-economic context. This act is in line with our constitution. Citizen holds all the power. So, this act is very suitable and contemporary for establishing transparency and accountability. Citizens have rights to know about government's activities. So, to empower people it is very necessary to face the challenge of proper implementation of this act from both government and non-government organization. This act has created awareness among all and has gained positive advance for democratic practice.

5.1.16 Mr. Nabo Bikram Kishor Tripura

Secretary, Ministry of Chittagong Hill Tracts

Through vast publication of citizen charter in different relevant places, implementation of RTI Act 2009 will be successful. Every organization will display Citizen Charter. To inform people about RTI Act, still we need more publicity.

5.1.17 Mr. Abdul Awal Haolader

Additional Secretary, Department of Food, Ministry of Food and Disaster Management

All the discussions in this meeting should be posted in website. I believe through this meeting we have gained a lot.

5.1.18 Dr. Kamal Abdul Naser Chowdhury

Secretary, Ministry of Industry

- It needs to publish a circular about the responsibilities of the designated person /“Daittoprapto Kormokorta”. In this regard, it is needed to be clear who will be the “Daittoprapto Kormokorta”.
- Ambiguity on appellate authority should be removed. According to this Act, Divisional Commissioner is the appellate authority of Deputy Commissioner Office. In this case, it is tough to go there to appeal.
- Information Commissioner can attend meeting arranged at different ministries.

5.1.19 Mr. Mohammad Shofiul Alam

Secretary, President Office

Official Secrets Act.1923 should be synchronized with RTI and the sections contradicted with RTI should be rectified. Only overriding section is not enough, because when concerned authority will follow original law they can not be claimed.

5.1.20 Mr. Hedayetullah Al Mamun

Secretary, Ministry of Information

RTI Act 2009 is a landmark in the history of Bangladesh. It is the reflection of Governments’ commitment at Election memorandum/Ishtihar. Right to information is very important for the rule of law, transparency and accountability in financial activities of Government. I wish, newly started Information Commission will be the center point for free flow of information within a very short time.

5.1.21 Mr. Khandaker Anoarul Islam

Acting Secretary, Department of Bridge

1. Under Strengthening Information and Communication Technology (SICT), Secretariat Backbone has been developed. It is also supported by Optic Fiber Network from BTCL. Connection of Information Commission with these two, may improve its services and also it will be helpful for Information Commission to monitor its activities and advancement.
2. For ensuring availability of information, Information Commission should provide their email address in its website and also to send all Ministries/Directorates/Divisions/Departments.
3. Ministries/ Directorates/Divisions/Departments should publish all of their reports in their websites instead of hardcopy and in this way people will get easy access to information.
4. For ensuring easy management and access to information, Information Commission can maintain up-linking with all Ministries/Divisions/Departments rather than preserving a lot of information in their website. It will be helpful to monitor and manage everything.
5. Unicode will have to be ensured; otherwise it will not be possible to ensure information for all. All designated officers have received training for the implementation of Unicode.
6. Vast publicity initiative will have to be taken to introduce Whistle Blower Protection Act-2011 among people and its practice will have to be ensured.
7. The manually directed Grievance Redress System under the ministerial division is proposed to be automated from Asian Development Bank. Speedy implementation of this will ensure more success of RTI.
8. It is necessary to develop off-line system between inter-ministerial division and Information Commission which will prevent hacking or the unnecessary disclosure of privileged document.
9. Press briefing should be arranged to disclose the discussed issues in every meeting.

5.1.22 Mr. Shofiq Alam Mehedi

Secretary, Ministry of Labour and Employment

RTI Act 2009 is a contemporary act. In the age of globalization, it is the demand of time to ensure free flow of information for the citizens. Our Constitution also directs on the free flow of information. The followings might be considered in the application of this act:

- Establishment of “Information Center” in open place of every Government/Non-Government/Self-Governed offices and recruitment of staffs.
- Establishing divisional service center of Information Commission in the divisional administrative premise.
- Immense advertisement in print and electronic media about Right to Information Act.
- Updating and enriching all organizations websites.

5.1.23 Mr. Mahbub Ahmed

Secretary, Ministry of Youth and Sports

Good Governance is directly related to development and to ensure Good Governance, transparency and accountability is a must. There is no alternative to free flow of information to ensure transparency and accountability. RTI Act 2009 is a commendable and opportune initiative of Government to ensure good governance, accountability and free flow of information. This act will play vital role to accelerate development of Bangladesh and to guarantee good governance and accountability in Government and Non-Government organizations.

The following initiatives can be taken for the quality accomplishment of the RTI Act:

1. All organizations under the RTI Act will have to incorporate all information (that can be required by the citizens) of that particular organization in their annual report.
2. To incorporate all update information in official websites.
3. Deputy-Secretary ranked responsible person of different ministries as focal point will take the initiative of information technology training for the “Designated Officer”.
4. It will be made sure to get information from all Government, Non-Government, private and self governed organizations.
5. State-interest and development related information from different Government, Non-Government research organizations will have to be available.
6. Procedure of punishment for any kind of misrepresentation of information can be incorporated in this act.
7. Since Official Secrets Act 1923 is still in existence, there should be clear direction about limitation and scope of information bestowal.

RTI Act 2009 will meet up citizen’s information need successfully. I believe, RTI Act 2009 will play vital role to ensure transparency in Government activities, establishing good governance and empowering people.

5.1.24 Mr. Md. Mokhlecur Rahman

Secretary, Ministry of Land

In Bangladesh, most of the people still live in rural area. They go to Union Administrative office to solve their problem. So, Information Commission needs to take huge initiative to avail and to supply information for those people.

5.1.25 Mr. Md. Ashraful Mokbul

Secretary, Ministry of Garment and Jute

- RTI Act is in no doubt an important and timely initiative.
- It is necessary to make clear to media about information supply.
- Information Commission can give reminder to all Government offices (from Upazilla to Ministry) to publish their annual report.
- Front desk/Receipt and Dispatch section can be laid down to “Designated Officer”.

5.1.26 Dr. Jafor Ahmed Khan

Secretary,

RTI Act 2009 is a timely initiative. Informing all about this act and taking initiative of implementation of this act through Information Commission is an exceptional endeavor. I welcome this. Free flow of information will increase transparency and accountability in administration. It will add swiftness in administrative works. Dissemination of information will eliminate corruption.

I wish all the success of this act.

5.1.27 Mr. Iqbal Mahmud

Secretary, Economic Relations Department

Law is introduced to create fear among people and it is not possible to get the highest success in law implementation. So, public awareness is very necessary. Most of the time mass people are deprived from government services or they suffer for corruption. The main reason behind this is they do not know clearly about their rights and if they know then they are ignorant about from where they can get these services. So, at first we need to reach these deprived people.

5.1.28 Md. Alauddin

Joint Secretary, Ministry of Shipping

Following remarks/views are given below in respect of Right to Information Act, 2009. That requires some activities for its effective implementation. Activities must be taken by different persons, bodies, agencies (Go-NGO) of all public institutions.

- Right to Information Act, 2009 has to be won by all ministries/divisions equally.
- Focal point in each ministry/division must be appointed to coordinate the RTI activities among information communication ministry and subordinate offices/departments.
- RTI should be transformed/elevated as daily routine matter for the respective office.
- Primarily Joint Secretary (Admin) of the Ministry/Division can be oriented and trained for proper coordination and supervision of RTI activities.
- Monthly/Quarterly report system could be starting best practice of RTI.
- Workshop can be organized for DPK and focal points.
- RTI can be included in the budget. The general assent of finance Division to the Budget for RTI shall be arranged through Information Commission.
- Time to time Commission official may audit the RTI activities of different offices.
- Easy of understandable discussion, publicity may be arranged and demonstrated for the core stake-holders. Outline the benefits of RTI practice in the personal as well as national life.
- Commission may arrange satellite training programme at the administrative Ministry/Divisions covering all DPKs and focal points of the subordinate offices of the Ministry/Divisions.
- RTI can be included in the syllabus of the Exams of Department/Senior Scale Exams of the PSC.

5.2 Reformulation Proposals from District Administration

Manikganj: Ensuring more involvement of general people for successful implementation of RTI Act and arranging training for information officers of different organizations.

Netrokona: Arranging documentary show in various public places of Upazilla, Union and village to inform people about their right to know information through a joint collaboration among print and electronic media and district information office.

Jamalpur: According to RTI Act citizen or organization can want to know information. In this regard, the “Designated Officer” is aware about their duties.

Jessore:

Chuadanga: Availability of all Government information should be ensured in district level to serve citizens’ requirement for information.

Magura: Money should be sanctioned for publicity work to let people (especially rural people) know about their right to information.

Sylhet: Designated persons and financial support can be arranged in every Upazilla.

Pirozpur: There should be a clear direction about the money realized from information providing procedure.

Vola: For the implementation of RTI Act and a speedy free flow of information, infrastructure, training and publicity is very important. In this regard, Information Commission can sanction money.

Nilphamari: All information must be published in website.

Thakurgaon: Initiatives can be taken to create awareness through meeting and media.

Khagrachori: To aware people, rally, seminar and meeting can be arranged at district and upazilla level.

Rangamati:

- For more effective implementation, RTI Act 2009 can be included in Mobile Court Act 2009.
- Rally and other ways can be followed to make people aware about RTI.

Lakshipur: More publicity initiative on RTI should be taken.

Comilla: Publicity in print and electronic media, creating public awareness and supplying written form for application. Since people are not interested to invest money for information, this system can be abolished.

5.3 Reformulation Proposals from NGOs

- In case of wrong application, there should be provision to apply again.
- Establishing Information Commission office at district level.
- Increasing publicity for public awareness.
- Allowing consent from grass root male-female.
- Mass awareness building, creating demand and ensuring services.
- Building skilled manpower.
- Availing service at the door of citizens, ensuring diversified use of mobile. Technology based education, poverty reduction, developing living standard, agriculture, speedy service providing activity related websites should be well developed.
- Publicity to encourage people to know information.
- Arranging annual meeting with various professionals from District Information office.
- Collaboration meeting arrangement with NGOs working at district level from District Information office.
- Huge publicity through radio, television and newspaper.
- Implementation of RTI Act.
- RTI Act will gain its goal through publicity about its advantages, necessity and service.
- Board displaying the name and address of “Designated Officer”, appellate authority and complaint authority.
- Observation of “Right to Information” day.
- Publicity work through popular theatre, cultural program, rally to make the act popular.

5.4 Challenges to RTI Implementation

From its establishment at 2009, Information Commission is working to implement Right to Information Act. In the way of working, the following challenges have been noticed:

- **Ambiguity and Limitations in RTI Act:** There is noticeable ambiguity in some sections especially on appellate authority. Since the provision of pre-permission is not very clear, Information Commission faces problem to take decision in many cases. Beside this there is another ambiguity about either the government granted organizations and those which are licensed from government and receiving subsidy are under the RTI Act or not.
- **Lacking in Publicity on RTI Act:** Though RTI was introduced two years ago, a large part of people do not know very well about this act. Even though the educated people also are not very clear about this. The main reason behind problematic application submission to Information Commission is the ignorance about this act.
- **Absence of “Designated Officer” in all offices:** Though according to this act, within 60 days in all offices designated officers will be recruited, after passing two years we have not. Though people have enough interest to know information from Non-Government MPO educational institutions, they do not have any “Designated Officer”. Concerned ministry has not declared any circular still. A large number of Non-Government organizations are not showing any interest to recruit “Designated Officer”. As a result people requiring information are facing problem to get proper service. Beside this, it is always late to recruit new staff in the case of transfer. As a result people are facing problem.
- **Lacking in the Publication of Self-motivated Information:** In spite of clear direction in RTI Act and from Information Commission, GO and NGOs are not showing enough initiatives to make public their information. Though many organizations have their own websites they are not posting all information there and in many cases they do not update their websites. Organizations do not publish their annual report timely. Since organizations do not use modern technology in preserving information, they face difficulties to serve quality service.
- **Unwillingness and Weakness in RTI Act Practice:** RTI Act practice is a symbol of civilized society. If anyone applies to any office for information following the correct format, office will provide information or inform them in case of inability. In spite of this, many organizations show indifference to receive application. There is no example of notice in the case of failure to provide information. Beside this people demanding information show disinterest to pay the cost of information. Since we have observed a culture of confidentiality for a long time, we are showing apathy to apply this act.
- **Lack of Interest among Media Persons to Follow RTI Act:** Though media persons show a lot of interest to RTI Act, they are not aware to follow this Act when they are collecting information from other organizations. They require instant information and do not pay for it. As a result “Designated Officer” falls in dilemma and it creates embarrassing situation between designated person and others.
- **Inadequate Preservation System:** Offices do not have adequate information preservation system. As a result, much information has become destroyed. In most cases the information are preserved haphazardly. So it takes more time to find out the required information.
- **Dependency of “Designated Officer” on the Higher Authority:** According to RTI Act “Designated Officer” is independent to provide required information without any influence from higher authority. But because of administrative practice, they ask to higher authority which results delay in providing service.
- **Lack of Logistic Support at “Designated Officer” Office:** As a result of lacking of modern technological support at “Designated Officer” Office, speedy information providing procedure faces obstacle. Most of the office do not have photocopy machine

and official papers are photocopied from shop, which violates secrecy and also safety. Most of the offices do not have computer, printer, scanner and internet and this creates hindrance in information providing process.

5.5 Synthesized Recommendation and Reformation Proposals from Information Commission:

1. Mass media play a vital role to make people aware about their right to know information. Print and electronic media can take more initiative and action to create necessity among grass root people on Right to Information Act.
2. Right to Information Act, 2009 and Information & Communication Technology Act is very much interlinked with each other. These two acts are the catalyst for fulfilling the financial and basic mental need of citizens using digital and modern technology. Coordination between these two acts is an emergency to create e-governance through e-development. All these initiatives will ensure peoples' participation in government decision making process through an effective practice of RTI Act, 2009.
3. Anti-Corruption Act and Right to Information Act can work reciprocally for the institutionalization of democracy, introducing good governance, leadership for preventing corruption, transparency in administrative organ, empowering people in Bangladesh.
4. Bringing necessary rectification in contradictory acts (Official Secrets Act, 1923) with RTI and making RTI Act easy and appropriate to use and apply.
5. Vast publicity works about RTI Act: The main reason behind lack of proper implementation of RTI Act is that still mass people and authority who will implement the act are not fully knowledgeable about this act. To inform all, enormous publicity works through print and electronic media should be taken into action. In this regard, popular theatre, music, advertisement, talk show may be very effective. Beside this arranging rally and seminar during Right to Information Day observation at upazilla and district level will aware people. If possible, people can receive direct practice and training on right to information through arranging Right to Information Fair. It is necessary to arrange Information Commission mass awareness seminar at upazilla level. The training received by "Designated Officer" is not enough. It is urgent to take a vast training initiative to train up more than 10,000 "Designated Officer" working at different offices. Right to Information related training module should be incorporated in different training academy. Journalists should receive training and more information about this act.
6. Speedy recruitment of "Designated Officer": After two years of enforcement of RTI Act, absence of enough "Designated Officer" is similar to negligence to law and also its violation. So, legal actions should be taken against those who have not still appointed "Designated Officer" in their offices.
7. Enforcement of Self-motivated Information Promotion: According to Right to Information Act and Right to Information regulation, all offices will take necessary actions to ensure self-motivated information promotion activity. All ministries and offices under these will work to make public their information.
8. Eliminating RTI Act Limitations: Elimination of weaknesses and limitations of RTI Act through rectification. There are some sectors of this act where it

should be rectified, these are squeezing the timeline for getting information, clear-cut explanation on appellate authority recruitment, reducing failure list, incorporation of government granted and subsidy received organizations under RTI Act, amplification of the field of this act, increasing commission's power to impose fine.

9. Increasing Connection with Information Technology: The present Government has achieved immense success in the area of information technology which can be used in the sector of right to information. Through incorporating information technology service centers in different peripheral area with Information Commission, right to information services can be provided to people. Inclusion of Right to Information Act in all government websites and preservation of all information in central server can provide proper service to people.

5.6 Conclusion:

Right to Information Act is an act of public benefit. Right to Information is related to peoples' basic right to speak out and express their opinion, in which sense it is a political right also. Right to Information Act is an effective tool to establish Government and Non-Government offices' accountability to mass people, establishing good governance through bringing transparency and preventing corruption in all sectors. Right to information is very important for the institutionalization of democracy and establishing human rights. Enforcement of Right to Information Act and establishment of Information Commission expresses the promise to establish democracy, human rights and good governance in Bangladesh.

Though it has passed two years of its establishment and has met peoples' demand, Information Commission has not been succeed to express itself a strong entity of administration. Though mass people are showing interest on information and government and non-government officials are aware about peoples' right to information, Bangladesh has not moved forward at a remarkable level still. Especially in the case of publication of self-motivated information, Bangladesh has not reached at expected level. Still mass people have not gained a clear idea and strategy about how to utilize right to information in their personal, social, administrative and political sphere.

In spite of government's sincerity, limitations of some law in RTI Act, limited publicity work, lacking of training, ignorance of most people, absence of advice and inspiring activity, limited manpower and activity of Information Commission are identified as the obstacle to the successful implementation of RTI Act. Overcoming these obstacles, to reach the ultimate goal of RTI Act, not only Information Commission but also other NGOs, print and electronic media, civil society, and political leaders will have to work side by side. It can be expected that, with the reciprocal participation of all it will be possible to meet up peoples' expectation to get information.

CHAPTER-6

QUESTION-ANSWER ON RIGHT TO INFORMATION

Chapter 5

6.1 Information Commissioner Secretary (Rtd.) M. A Taher

District-Noakhali

Date: 19/06/2011 & 20/06/2011

1. Question: If “designated officer” does not provide requested information according to RTI Act, where will have to apply first for legal support?

Answer: If anyone does not get the requested information applied in the prescribed format according to RTI Act, within the time specified in sub-section (1), (2) and (4) of section 9 or is aggrieved by a decision of the officer-in-charge may, within 30 days from the expiry of such period or, as the case may be, from the receipt of such decision, prefer an appeal to appellate authority.

2. Question: Who will provide services in the case of transfer of “designated officer”?

Answer: In the case of transfer, respective office will recruit new “designated officer”. In the meantime, an alternative person will take care of the work.

3. Question: Is there any provision to know the budget of an office (in which purpose how much money is allocated/spent)?

Answer: When the budget of a fiscal year is put into effect from parliament, any kind of information related to the granted budget can be delivered.

4. What does the direction “use more paper if need” mean in the 2no. point of the ‘Application form- A’ of requesting information?

Answer: If the list of requested information is very vast and detail, the second column may not be enough, in this case additional papers can be used.

5. Question: In rape cases, victim files case against the accused person. In that case, media collect the information and publish it. What is the way to avoid media?

Answer: According to RTI Act, section 7 (h), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual. But, for justice/order from the court/if victim permits, information can be published.

6. Question: There is provision of punishment against “designated officer” in the case of irresponsibility to obey the duty. Is there any system of appreciation/reward for high performance?

Answer: There is no provision like that in the present act. But system of reward/rebuke depending on the more sincerity and carefulness of “designated officer” is under consideration of Information Commission.

7. In the case of photocopy, how the expenditure is counted/paid?

Answer: For determining the price under sub-section (6), the price shall not exceed the actual expense of providing information such as cost of printing electronic format or photocopying or print-out.

8. Question: Is there any provision to give one's information to another person? For example, a young lady looked for another young boy's passport detail to restrain him at airport. Her logic was she loved the boy but now he is leaving her and going abroad receiving a scholarship.

Answer: According to RTI Act, Section 7 (h) and (i), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual and endanger the life or physical safety of any person. But, for justice/order from the court/if victim permits, information can be published.

9. Question: In an office, instead of having more than one post, there is only one officer. In this case, is there provision to recruit a senior staff in this position?

Answer: On temporary basis, a senior staff can be appointed as "designated officer" but whenever a new "designated officer" will be recruited he/she will take the responsibility.

10. Question: If anyone applies through court fee, how office will bear the cost spent for photocopy/computer print?

Answer: A fixed amount can be proposed in annual budget for the implementation of RTI Act; on the other hand, this expenditure can be met up from incidental expenditure.

11. Question: In spite of having no relevance, can any applicant get the requested information?

Answer: In spite of having no relevance, anyone can apply for any kind of information; off course in that case regulation described in section 7 of RTI Act will be applicable.

12. Question: During hearing at Information Commission, is there any provision to hear speech from "designated officer"?

Answer: During hearing, saying from the accuser, designated officer, appellate authority and the third party (if any) involved with the accusation will be heard.

13. Question: Can the price for the received information be paid through Treasury Chalan?

Answer: There is no provision of Treasury Chalan in the RTI Act 2009.

14. Question: Why there is no involvement of public leaders/representatives in RTI Act?

Answer: Public leaders/representatives are elected by mass people and they are the law maker. Government officers and staffs implement according to law. Public leaders/representatives are not involved here to ensure transparency, accountability and neutrality.

15. Question: In the Section (2), RTI Act, "information providing unit" is mentioned referring upazilla as the smallest unit. Where there are "information providing unit" smaller than upazilla such as revenue collector office (*tahsil* office), will it be an "information providing unit".

Answer: Though according to RTI Act, Upazilla is the smallest “information providing unit”, Union Parishad/tahsil office is bound to give information if the application is in the prescribed format to Upazilla Office.

16. Question: For the request for information/appeal, is an application in the prescribed format enough?

Answer: After the introduction of Right to Information Regulation 2009, the request for information under section (1) shall be made in a form printed by the authority, or as the case may be, in prescribed format.

17. Question: If anyone applies through court fee for information (50 pages), how the price spent for photocopy will be paid instantly?

Answer: Fixed budget for “designated officer”/budget for incidental expenditure can be spent for this purpose.

18. Question: If anyone asked through mobile phone to know as a journalist how many tenders are sold and how many are dropped, is it permitted to give him/her the information?

Answer: There is no provision to provide information through mobile phone in RTI Act 2009.

BARD, Comilla
Date: 23/05/2011

1. Question: Will the newly inaugurated websites in Union Parishad help to implement RTI Act? How general people will be benefited from these?

Answer: These new websites must be helpful for the implementation of RTI Act. If anyone applies in prescribed format, “designated officer” is compelled to provide information.

2. Question: Is it permitted to provide to the journalists any information, which can be embarrassing for Government?

Answer: According to the condition described in section 7 of RTI Act and if there is no special restriction, information can be provided against application.

3. Question: Government is not cordial to return back OSD officers since they were recruited during another Government regime. In this case, what role can Information Commission play?

Answer: In this case, Information Commission has nothing to do. If anyone wants to know information about this, in prescribed format he/she can apply to “designated officer”, Ministry of Public Administration.

4. General people know nothing about the agreements signed between India and Bangladesh Government. Will Government disclose these to people and are these in favor of Bangladesh? Is there possibility from BNP Government to reject these?

Answer: To know about these, application in prescribed format can be submitted to respective ministry.

5. Question: Is there any provision from Information Commission to take action against newspapers if they publish any news based on their assumption?

Answer: Information Commission does not have any thing to do here, but accusation can be submitted to Press Council.

6. Question: What is the basic difference between Ministry of Information and Information Commission?

Answer: Ministry of Information provides secretarial support and Information Commission works for the implementation of Right to Information Act 2009.

7. Question: Why Government does not disclose agreements with different countries?

Answer: Clauses in different agreements which are not under section 7 of RTI Act can be disclosed.

8. Question: Is there any plan to observe Right to Information Day through rally, seminar?

Answer: International Right to Information Day is observed in each year on the 28th September.

13. Question: Since most of the ministries and parliament members are elected by mass people, will they express information about Government actions/activities to people?

Answer: They can express information to people if they wish.

14. Question: What is the position of Government in regard to information dissemination?

Answer: Government is very hearty to ensure free flow of information. To reach this goal Government has approved RTI Act giving the highest priority.

15. Question: Is there any provision for general people to know the income-expenditure of our political parties?

Answer: Surely they can, but to know this information they will have to apply in the prescribed format according to RTI Act 2009.

16. Question: Can anyone know my personal information from office?

Answer: Without permission, there is no provision to disclose personal information.

17. Question: Is it ethical to provide if anyone demands patients' information?

Answer: In this case, if patient permits then the information can be given.

BARD, Comilla

Date: 23/10/2011

1. Question: Will different Ministries/Departmental head circulate letters/circulars to their subjugated offices?

Answer: Different Ministries/Departmental head have already circulated letters/circulars to their subjugated offices to implement RTI Act.

2. Question: Can Information Commission penalize/take action against journalists for yellow journalism?

Answer: Information Commission can not take any action but suffered person can charge to Press Council.

3. Question: Can any subjugated staff can be the “designated officer” of that office?

Answer: Those offices, where there are only two persons, the staff can be appointed as “designated officer”.

4. Question: How a general people will get information from secretariat where he/she does not have access there without the permission of a Deputy-Secretary.

Answer: In this case, information can be required through post/e-mail.

**Questions-Answers
6.2 Prof. Dr. Sadeka Halim**

Bangladesh Social and Economic Forum 2011

Questions obtained from the seminar jointly organized by Dhaka Schools of Economics and Bangladesh Economic Society

A seminar titled ‘Role of the Right to Information (RTI) in Establishing Transparency and Fighting Corruption in Society’ was held in Bangabandhu International Conference Center in April 24-28 with the joint initiative of Dhaka Schools of Economics and Bangladesh Economic Society. Prof. Dr. Sadeka Halim, the honorable Information Commissioner, presented the key note paper in the seminar presided over by Mr. Golam Rahaman, the Chairman of the Anti-Corruption Commission. Besides, the former Chief Justice M. Tafazzal Islam and the Country Director of Article 19 Ms Tahmina Rahman participated in the seminar as the chief guest and the fixed discussant respectively. Around 550 representatives from different organizations and institutions were present in the seminar. Among these representatives there were the officials of various government and non-government bodies, journalists, teachers and the eminent civil society members. Before concluding the seminar, the honorable Information Commissioner gave answers to some important queries relating to the Right to Information Act and the Information Commission raised by the participants. These are as follows:

1. Question: Why is there a lack of coordination between the Information Commission and other institutions?

Answer: The present government enacted the Right to Information (RTI) Act 2009 in order to ensure good governance through establishing transparency and accountability in the activities carried out by different government, autonomous and statutory bodies as well as NGOs with the aim of empowering the people, the proprietors of the sovereignty of the Republic. The Information Commission has been maintaining coordination with other institutions with a view to successfully implementing the RTI Act. It provides assistance to other institutions by ensuring free flow of information. In fact, people are the proprietors of information. Therefore, a close coordination does exist between the Information Commission and other institutions.

2. Question: What is the difference between Anti-Corruption Commission and Information Commission? Is there any functional linkage between them?

Answer: Both the Anti-Corruption Commission and the Information Commission are the independent commissions of the government; however the scope of their activities varies. There is a mutual relationship between them. The coordination between these two will help to remove any misleading information that the people might have about the government activities. Consequently, this will lead to the gradual decline of corruption from the society and the state. The RTI Act will help establish accountability and transparency among all the officials and staff in discharging their respective duties.

3. Question: How can the Anti-Corruption Commission facilitate the activities of the Information Commission?

Answer: The Anti-Corruption Commission, in close contact with the Information Commission, can ensure the free flow of information or the people's accessibility to information in its attempts to increase the accountability and transparency, curbing corruption and establish good governance. It is imperative to ensure the free flow of information first if the transparency and accountability of the government is to be ensured. Similarly, the Information Commission also can play substantial role in the fight against corruption.

4. Question: What is actually meant by RTI and how can it be practiced properly?

Answer: The Right to Information Act 2009 is an outcome of a long-standing process. There is no denying the fact that ensuring people's accessibility to information is extremely important for consolidating the democratic system of a country. Through utilizing the RTI Act, any citizen of Bangladesh can seek information by submitting application to any public, private, autonomous and semi-government institutions. The demand for an RTI Act started being voiced by the civil society of Bangladesh following the recommendation of Press Commission for an RTI Act in 1983 and subsequently the working paper of the Law Commission in 2003. The proper implementation of this Act can be made possible through the spontaneous participation of the people from all walks of life.

5. Question: Is there any coincidence between the sections of RTI Act of Bangladesh and those of the Commissions of the developed world?

Answer: Several sections of the RTI Act 2009 resemble those of the developed nations' commissions. For instance, significant similarity can be found between the RTI Act of India and that of Bangladesh.

6. Question: Do the defense organizations fall within the purview of RTI?

Answer: The defense organizations are yet to be brought under the purview of RTI. However, the subsection (1) of the section 32 (2) states: These organizations are bound to provide ‘Information pertaining to corruption and violation of human rights’.

7. Question: What is the relation of the Information Commission with the Human Rights Commission?

Answer: People have the right to know information. Due to lack of information, many people are being subject to human rights violation under different circumstances. Therefore, ensuring both human rights and the right to information entails a working relationship between the Human Rights Commission and the Information Commission.

8. Question: What is Standard Operating Procedure? Is it true that it makes it easier to seek information?

Answer: The book on Right to Information Act 2009 contains detailed description of application for accessing information; notice issued showing inability to provide information, appeal application, the request fee for seeking information and the fee for determining the value of information. One should apply for information after learning the RTI Act 2009 in its entirety.

9. Question: Isn't it possible to further strengthen the Information Commission?

Answer: In the RTI Act 2009, the Information Commission has been entrusted with the power to function as a quasi judicial body (section 13). The commission is dependent on the Ministry of Finance, Ministry of Public Administration and the Ministry of Information for its budget and other administrative activities. This dependency must be reduced so as to make the Commission operate independently and neutrally.

10. Question: Are the independent commissions of Bangladesh independent at all?

Answer: Whether the independent commissions of Bangladesh can exercise independence at all is a relative matter. Nevertheless, the independence of the independent commissions in the developing countries like Bangladesh should be examined in the context of reality.

Questions Obtained from Sylhet, Habigonj and Sunamgonj

The honorable Chief Information Commissioner (CIC) Ambassador (Rtd.) Muhammad Zamir and Information Commissioner Prof. Dr. Sadeka Halim attended a seminar on RTI Act 2009 held in the District Conference Room of Sylhet in April 20, 2011. The seminar was inaugurated by the (CIC) who was also the Chief Guest. The awareness program was attended by the officials of various public and private organizations, journalists, teachers, lawyers, Upazila Chairpersons and vice Chairpersons (particularly

the female members) and the dignitaries of the civil society. The Divisional Commissioner of Sylhet Mr. N. M. Ziaul Alam presided over the seminar. Besides, Information Commissioner Prof. Dr. Sadeka Halim, District Commissioner Mr. Abu Syad Mohammad Hashim, Superintendent of Police Mr. Sakhawat Hossain, among others, attended as special guests.

In the second session, 450 designated officials (DOs) from various organizations and institutions of Sylhet, Habigonj, Sunamgonj and Moulovibazar were present. Information Commissioner Dr. Sadeka Halim gave training to the officers-in-charge coming from the aforesaid districts. She elaborated on the background of RTI Act, the activities of the authority, role of the Commission, rules and procedure related to seeking information, appointment of the officers-in-charge together with their responsibilities, appeal regarding the application for information, accusations and so on. Afterwards, she answered different types of questions put forward by the DOs. These are as follows:

1. Question: Who belong/s to the appellate authority in the Union Council?

Answer: When an application is submitted to the Chairman of the Union Council, the Secretary provides the necessary information applied for; because it is the Secretary who oversees everything in the Union Council. He is well aware of all the activities. In this case the Chairman is the appellate authority.

2. Question: Who will be the appellate authority if one is denied information from the Upazila Council? Is there any guideline of the Information Commission to this end?

Answer: The Upazila Chairman will be the appellate authority in this context.

3. Question: What can the Information Commission do when the information provided is proven incorrect?

Answer: If the information is proven wrong, an application will have to be submitted again to the appellate authority mentioning precisely the subject of information. According to the section (e) of RTI Act, the commission shall take necessary action if someone lodges any complaint accusing of intentionally providing wrong information.

4. Question: Are there any rewards for the officers-in-charge?

Answer: There are no such rewards from the Commission; however the Commission is considering giving rewards to the sincere and active officers.

5. Question: How to pay the charge for accessing information to the public sector?

Answer: As per Form (D) of Rule 8 under the RTI (concerning accessing information) rules 2009,

- a) When providing any written document, TK. 2 will be charged for every single page of size A-4 or A-3. Pages greater than this involve actual value.
- b) Free of cost when providing information to someone as per the government rule.

6. Question: How to access digitalized information?

Answer: Efforts are on to digitalize every sector of the government of Bangladesh. Further steps should be undertaken to provide information through digital means in every possible sector.

7. Question: What can be done about tender if anybody seeks information?

Answer: As per article 7 (3), it is not mandatory to provide information concerning tender or prior to taking any decision about tender.

8. Question: Shall a newly posted officer provide information of his previous office?

Answer: A newly posted officer is not legally bound to provide information pertaining to his previous office. However, he can help the officer that has replaced him in his former workplace.

9. Question: Are the applicant and the recipient of information the same individual?

Answer: The applicant and the recipient of information indicate the same person.

10. Question: The functional scope of the institution of 'social welfare' is quite large. In this case, can it be considered to recruit two officers-in-charge?

Answer: Though the scope of activities of the 'social welfare' institution is extensive, there is no provision of appointing two officers-in-charge against the existing provision of appointing a single one. However, the Information Commission has directed each institution to recruit an alternative officer-in-charge.

11. Question: What is the direction of the Commission regarding privacy?

Answer: According to the section 7 (h) & (i), it is not mandatory to provide any secret information of a person.

12. Question: What would be the source of fund for photocopying?

Answer: As per Form (D) of Rule 8 under the RTI (concerning accessing information) rules 2009,

- i) When providing any written document, TK. 2 will be charged for every single page of size A-4 or A-3. Pages greater than this shall involve actual value.

- ii) In case of providing disc, CD, etc. – a) free of charge when the applicant himself or herself provides disc, CD, etc. b) the actual value of the CD or disc will apply when it is provided by the information providing unit.
- iii) Free of cost when providing information to someone as per the government rule.
- iv) The fixed price will apply when selling any publication that has an exchange value.

13. Question: What role does the Information Commission play with regard to the small organizations?

Answer: Any organization or institution run by government or foreign financing, as stated under section 2 (b) of the RTI Act 2009, shall be obliged to provide information when asked for in due procedure. If it does not comply with the request for information, the Information Commission will take necessary measure.

14. Question: What is your opinion about being more lenient on the officers-in-charge rather than issuing (legal) threat to them insofar as the case of penalization is concerned?

Answer: The RTI Act 2009 provides for departmental punishment and fine of the officers-in-charge. However, instead of intimidating, the Commission is always lenient on them as it is still going through trial and error. In this situation, the officer-in-charge is advised to provide information being well-aware of the laws.

15. Question: What about arranging seminars to raise awareness among the journalists of both print and electronic media about the RTI Act?

Answer: The journalists involved in print and electronic media have great role to play in respect of implementing the RTI Act 2009. The wide circulations of their media reports can effectively make the mass people aware of the RTI Act as well as unfold its practical aspects. The Information Commission, at various points of time, has arranged opinion exchange programs with the media reporters and journalists. The Commission held a series of talks about the implementation of RTI Act and sought opinions from the representatives of print media on October 11, 2011 and from those of the electronic media on October 14, 2011. In addition, it shared the views and opinions of various international organizations such as the WB (World Bank), ADB (Asian Development Bank), UNDP (United Nations Development Program), EU (European Union) as well as the ambassadors and High Commissioners of different countries. Among the NGOs, both domestic and foreign, the Commission held opinion exchange meetings with Manusher Jonno Foundation, MRDI, Research Initiatives Bangladesh, Nagorik Udyog, Article-XIX, BRAC and Nijera Kori. These sorts of programs are still being carried on by the Information Commission.

16. Question: What is to be done if one is denied to get information by the head of an office?

Answer: If the head of an office refuses to provide information, the next option is to apply to the appellate authority. The Commission will subsequently take necessary step.

Questions obtained from the District of Jamalpur

- 1. Question: Does the Information Commission have any role to play for those who are more concerned with information (i.e., the journalists) than others?**

Answer: The Information Commission is trying relentlessly to create a free flow of information. It is the journalists who delve into information more than all others. So, the applications coming from the journalists are given priority by the Information Commission. The Commission expects the journalists to exercise the RTI Act properly and play an objective role in this respect.

- 2. Question: Why is there no clear mention of the journalists in the RTI Act 2009?**

Answer: Actually the RTI Act is equally applicable for all. There is no section in this Act dealing particularly with the accessibility of information by the journalists. However, a proposal for reformation on behalf of the journalists can be a welcome development. Whatever the case may be, the Commission puts relatively high emphasis on the cases related to the journalists.

- 3. Question: How many pieces of information can be sought at a time by a person?**

Answer: A person can seek more than one piece of information at a time if s/he complies with the procedure of making request for information by using the RTI format.

- 4. Question: How to resort to the Information Commission when failing to get information after application/complaint?**

Answer: When an application submitted through the RTI format becomes a failure, a formal complaint can be lodged with the Information Commission. Sections 9, 13, 24 and 26 of the RTI Act 2009 clearly states the procedure related to providing information, appeal and complaint. Details can be learnt through the website of the Commission. The interested persons can also coordinate with the Commission through telephone, internet, e-mail and Skype.

- 5. Question: Is there any possibility of setting up regional offices of the Information Commission at the Upazila level?**

Answer: The RTI Act 2009 is relatively new, so is the Information Commission which is an autonomous institution. There is a provision for establishing Regional Offices in the RTI Act. However, this proposal can be taken into account in future reformation of the RTI Act. The Upazila Information Offices performed their activities at Upazilas under the control of and through proper coordination with the Information Commission.

6. Question: How can the deprived people be helped by the RTI Act at the Upazila level?

Answer: The RTI Act is equally applicable for all segments of the people of Bangladesh irrespective of caste, creed or religion. The deprived people must be made conscious of this Act. Anyone can be sure of getting information if application is submitted in accordance with the existing rules and regulations. Now-a-days a lot of indigenous, poor and deprived people are accessing their desired information with the help of the Information Commission. The Commission always remains vigilant in this regard.

7. Question: Is there any data base of the officers-in-charge?

Answer: The name, address and designation of the officers-in-charge are entered properly in the Web Portal of the Information Commission.

8. Question: What can the concerned authority do when the officer-in-charge is transferred?

Answer: An alternative officer-in-charge must be in place as soon as the assigned officer-in-charge is transferred. The Information Commission is directing all the authorities concerned to recruit an alternative officer-in-charge when they send the list of the officers-in-charge. However, there is no provision for appointing any alternative officer-in-charge in the Act.

9. Question: Does the Commission have any plan to bring the Judge Court, one of the main units of Bangladesh judicial system, under the RTI Act?

Answer: The Judge Court is not within the purview of the Information Commission. However, the Commission is considering with due importance to bring it under the RTI Act.

10. Question: The maximum limit of fine, as stated in the RTI Act, is TK.5000; but what is the maximum limit of fine that dismisses a government employee from his/her job?

Answer: A government service holder will lose his/her service once s/he is fined maximum TK.2000.

11. Question: How to ensure the maximum utilization of the information offices located at district level?

Answer: The Information Commission has already made contact with the entire district information offices. The Commission is working tirelessly to bring about coordination between the Commission and the district information offices.

12. Question: What can be done if the officer-in-charge refuses to accept the application for information?

Answer: When the concerned officer-in-charge refuses to accept it, just go to the appellate authority as is the rule. The Information Commission will later take the necessary step. The sections 24 and 25 of the RTI Act 2009 provide details of the disposal of appeal, making of complaint, disposal, etc.

Questions obtained from the Districts of Rangamati and Khagrachhari

Information Commissioner Prof. Dr. Sadeka Halim took part in an opinion sharing and mass awareness seminar on the RTI Act 2009 organized by the Rangamati based local NGO PAHRA in the District Council Auditorium on June 19, 2011. The seminar was presided over by Mr. Nikhil Chakma, the Chairman of the Rangamati District Council. The special guests of the seminar were the district judge of Rangamati Mr. Sushanto Kumar Sinha, the UNO of Rangamati Sadar Nazia Shirin, the executive director of PAHRA Mr. Abbas Uddin Choudhury and many others. Prof. Dr. Sadeka Halim, being the chief guest, elaborated on the RTI Act 2009. She was also the chief guest in the seminar held in the Cultural Institute of the small ethnic communities of Khagrachhari on June 20, 2011. In the seminar she informed the people of the RTI Act 2009 and enunciated the procedures of applying for information, recruitment of the designated officers and their responsibilities, the application form for getting information, appeal and so on. In addition, the Honorable Information Commissioner also spoke on the various rights and privileges of the small ethnic communities.

1. Question: Receiving information under the RTI Act requires one to wait for long. How could this procrastination be minimized?

Answer: The Section 9 of the RTI Act 2009 requires that the designated officer provide the applicant with the requested information within 20 (twenty) working days from the date of receiving the request. However, if more than one unit is involved with the information sought for, such information can be provided within 30 (thirty) working days. If the officer-in-charge fails to provide the requested information due to any reason, s/he shall inform the applicant of it within ten working days.

We have received the request for minimizing the working days several times in different mass sensitizing and opinion exchange programs. The Commission is actively considering this matter. The 2010 Annual Report of the Information Commission recommends reducing the time limit as described in sub-sections 9 (1), 9 (2), and 9 (3) to seven days on the ground that the requestor might experience procrastination as the deadline of providing information prescribed in the RTI Act 2009 is considerably long.

2. Question: Information is accessible if it is stored as far as the Upazila level, but how to access it from the Pourashabha?

Answer: Anybody can receive information from the Pourashabha by applying to its secretary. The secretary is well aware of every unit of the Pourashabha.

3. Question: What is the necessity of Appellate Authority?

Answer: Appellate Authority must have clear idea about RTI Act. Without this Designated Officer will not successfully complete his/her duty. Information providing duty of an organization is upon that organization. So, if a person fails to get help from Designated Officer and Appellate Authority also, finally will complaint to Information Commission. In some case there is provision to complaint directly to Information Commission.

4. Question: Government officers are not clearly informed about Section 7 of the Act. Is there any plan to appoint a representative at District/Upazilla level?

Answer: Section 7 of RTI Act is very important. So, all GO and NGO officers will have to know this section. Except information under this Section, all other information will have to provide without any delay. There is a plan to establish regional office in different places. Till now, we have not taken initiative to appoint any representative at District/Upazilla level. Designated persons are receiving training on RTI Act from Information Commission and other training institution.

5. Question: How we can get information about the peace activity in hill tracts?

Answer: This information can be received from Ministry ofRTI Act can be used for this purpose.

6. Question: Is it possible to bring any reformation in this act to make a easy way for the journalists?

Answer: Actually the journalists at first demanded this act in 1983. RTI Act 2009 is equally applicable for all. Journalists can make proper use of RTI Act 2009 in investigative journalism. Journalists are using this act. They can submit relevant reformulation proposals.

7. Question: People those are under poverty line are bound to pay the bill for information?

Answer: No, they will not have to provide the bill.

8. Question: There are a number of authorities in Chittagong Hill Tracts such as Regional Council, District Parishad, Deputy Commissioner and Circle Chief. Who are the administrative head among them?

Answer: In Bangladesh we see practice of plural authority, Hill Tracts districts are the example of this kind. Through decentralization administrative authority solve different types of problem. Administrative authority of hill tracts area can ensure their transparency and accountability through practicing RTI Act 2009.

Questions obtained from the Districts of Rajshahi

Date: 28/06/2011

Information Commissioner Prof. Dr. Sadeka Halim took part as the Key Note Speaker in an opinion sharing and mass awareness seminar on the RTI Act 2009 organized by Inter Co-operation in 28th June, 2011. She presented a very lively description on skill of Information Commission, fine imposed on “designated officers”, application form, appeal application, outline of “designated officer” recruitment. Side by side she gave her expert answer against question from the participants.

1. Question: Commission has any plan to introduce Bangla SMS device?

Answer: At present Information Commission is sending Bangla text in English word through collaboration with Grameenphone and Robi Axiata. But Bangla SMS Texting technology is not introduced in Bangladesh still. We have the plan to do so in future.

2. Question: It is very important to inform all people about their right to information. So, can we provide training on RTI Act during Cadre training?

Answer: Right to Information Act is a remarkable initiative of present Government. There is no alternative of RTI Act to ensure transparency and accountability. So, in every cadre training institute, workshop on right to information is continuing.

3. Question: In Bangladesh, only the postal service works in the most peripheral area. Can Information Commission use post office to exercise Right to Information Act?

Answer: It is a nice proposal. Information Commission has a vast and long plan to expand right to information utilizing post offices.

4. Question: What is the duty of “designated officers”, if media demands information?

Answer: Both parties will have to have a clear idea about RTI Act 2009. Through proper implementation of RTI Act, information can be received. Everybody will have to be aware to mainstreaming the RTI Act. Administrative officers will have to change their mindset dominated by the culture of secrecy when they will provide information following RTI Act regulations.

5. Question: Is it possible to establish right to information as a basic right?

Answer: Constitutional recognition of RTI is very important. In Nepal, strong recommendation is raised in their constitution to give recognition on RTI Act. Papers on RTI Act have been submitted to Ministry of Education to incorporate it in school and college text books. Right to Information is an important way to ensure free flow of information at all levels. So, the highest authorities in Government are aware about this. In Article 39 of Bangladesh Constitution, thought, conscience and freedom of speech are considered as basic right. Right to Information is also considered as basic right as an integral part of these.

6. Question: How we can use RTI Act in women torturing?

Answer: Mass people can use RTI Act in this field also. Through this act we can know the reasons behind Mili murder case in Rajshahi and many other such incidences.

Savar

Program with Small Ethnic Communities arranged by Kapeeng Foundation

1. Question: Why are the multinational companies not incorporated under RTI Act?

Answer: Multinational companies are run by their own money, so they are excluded from RTI Act 2009 according to Government decision. Off course we have a proposal to incorporate these companies when the RTI Act will be reformulated again.

2. Question: Can we know information about the past activities/record of the Government officials who have got punishment posting to hill tracts?

Answer: Yes, you can get his/her professional information but not the personal information. Because, According to RTI Act, section 7 (h), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual.

3. Question: How we can get information about the financial allocation from Prime Minister's Office for the small ethnic communities of the plain area?

Answer: It can be got from the Special Affairs Division. Allocation for individual district can be known from Deputy Commissioner's Office.

4. Question: How can we get information about the financial allocation for Monipur Arts Academy (Kamolganj, Moulovibazar)?

Answer: You will have to apply in prescribed format to "designated officer", Monipur Arts Academy. In case of failure, then apply to appellate authority (Rules 24). If, appellate authority fails to provide solution, then final application will be to Information Commission (Section 25).

5. Question: Which level of information, "designated officer" is allowed to provide?

Answer: Authority is compelled to provide any kind of information except information under section 7 of RTI Act 2009.

6. Question: In which way RTI Act is related/linked to Official Secrets Act, 1923?

Answer: According to Section 3, RTI Act 2009,

- a) Rules described in this Act will never violate the information giving rules of any other Act
- b) If the rules related to the restrictions on information dissemination contradict to the rules described in this Act, rules of RTI Act will get preference.

According to Rule 5 of Official Secrets Act 1923, Government officials can not provide information. But according to RTI Act, if anyone applies following prescribed format, designated officer is bound to provide that information. So, some rules of Official Secrets Act 1923 need to be rectified. In India, these rules have already been rejected. Honourable Law Minister of Bangladesh has expressed his interest to take necessary steps to reformulate those rules conflicting to RTI Act. Implementation of RTI Act will be possible with the cordial help of law enforcement organizations, police, RAB and media.

**BNNRC (Bangladesh NGOs Network for Radio and Communication)
IDB Bhaban, Agargaon, Dhaka-1207**

1. Question: Is it possible to decentralize Information Commission?

Answer: RTI Act is introduced to make bondage between Government and mass people. Decentralization is mentioned in the sub-section (3), section 11 of RTI Act 2009. The main office of Information Commission will be located at Dhaka and Commission can establish its' regional office. Government can decentralize Information Commission.

2. Question: What is Information Commission's view about the periphery/grass root people to get information?

Answer: RTI Act is for all irrespective of age and sex. Information is peoples' right. We will have to inspire periphery/grass root people to require information. Rural people can get information from different cooperative society. As Corporate Social Responsibility, poor people can get support through poor trust fund.

3. Question: Still we do not have designated officers in all GO and NGO offices. What initiatives Information Commission has taken?

Answer: According to Sub-section (11), Section-10 of RTI Act 2009; within 60 (sixty) days of commencement of this Act, all authorities existing prior to such commencement shall appoint a designated officer for each of the units for providing information according to the provisions of this Act. There are more clarifications on this in the sub-sections 2, 3, 4, 5, 6. Information Commission has sent letter to all GO and NGO institutions to appoint designated officer. Beside this Commission has taken many awareness and inspiration activities. Fine is imposed on officers in the case of failure to provide required information. Individual institution will have to be aware.

Information Commission has given direction to appoint designated officer as well as his/her alternative.

4. Question: How general people will learn what information is?

Answer: Definition of Information is given in Benglai in RTI Act. When educated people will start to use this act, general people will also know and realize the act.

Questions obtained from the Districts of Bogra

1. Question: Can anyone request to get tender related information?

Answer: According to Section 7 (p) of RTI Act, any such information pertaining to a purchase process before it is complete or a decision has been taken about it, is not compulsory to disclose. After final decision, this information can be supplied and it will not violate PPA regulation.

2. Question: If any required information seems to go against that person's higher authority, what is the role of Information Commission in such case?

Answer: Every GO and NGO organizations will appoint designated officers. Everyone will have to leave their mindset of secrecy. Designated officer must give information. If the required information is very confidential related to his/her personal life, then designated officer will not give that information. According to RTI Act, Section 7 (h) and (i), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual and endanger the life or physical safety of any person.

3. Question: Can anyone get help from Information Commission, if he/she wants to know the number of marriage registration of one year from Marriage Registrar's office? This information is important to get an idea about the number of early marriage.

Answer: Mass people are the owner of information. Marriage Registrar office is an office under the Ministry of Law. There is a designated officer in Marriage Registrar office and Marriage Registrar will be the appellate authority. Following the prescribed format, information can be required. In the same way, information about child registration can be known from Union Parishad and Pourashava office.

4. Question: Is it possible to know the reason behind the requested information?

Answer: Mass people are the owner of information, it is their right. The applicant is not bound to inform the designated officer the reason.

5. Question: If the applicant do not contact for long time, what should designated officer do?

Answer: Designated officer will inform the applicant the price of the requested information. If the applicant does not pay the price, there is nothing to do.

6. Question: If the appellate authority of relevant authority does not provide necessary help, what should be the next step?

Answer: Designated officer is bound to provide information if anyone applies following the prescribed format. In the case of failure, the next step will be to apply to appellate authority. If appellate authority does not provide help, a person can lodge a complaint to Information Commission for any of the following reasons:

- If he gets no information under sub-section (1) of section 13;
- If he is aggrieved by the decision on his appeal under section 24;
- If he gets no information within the time-limit mentioned in section 24 or as the case may be, gets no decision about providing information.

6.3 Secretary Nepal Chandra Sarker (Jhenidah & Natore District)

1. Question: Is there provision to know information about a person who is in safety custody?

Answer: According to RTI Act 2009, Pre-section 9 (4), any information related to life and death, arrest and release from jail can be required. But According to RTI Act 2009, section 7 (f) and 7 (l), it is not compulsory to disclose, any such information that may, if disclose, obstruct the enforcement of law or incite any offence and any such information that may, if disclosed, impede the process of investigation.

2. Question: Any information discloser about a patient can be harmful and also violation of privacy. In this case, is there any compulsion to disclose this?

Answer: According to RTI Act, Section 7 (h), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual. Off course, if that person permits there will not be any obligation.

3. Question: Many times compliant suffers from economic and social lose for procrastination in the court. Is there provision to know the reason behind late?

Answer: According to RTI Act, Section 7 (k), organization/“Designated Officer” is not compelled to discloser of any matter pending before any court of law and which has been expressly forbidden to be published by any court of or tribunal or the disclosure of which may constitute contempt of court.

4. Question: Most of the times journalists does not follow the procedure of RTI Act to collect information instead they misbehave. In this case, is “designated officer” compelled to provide information?

Answer: According to RTI Act 2009, everyone has to follow the application procedure and pay the price. If the information is preserved in the computer (not violating section 7), it can be sent via e-mail without demanding any cost.

5. Question: If in an office there is only one officer, can any subjugated staff be appointed as “designated officer” of that office?

Answer: According to RTI Act, section 2 (C), “officer” shall also include an employee. Authority can appoint the staff as “designated officer”. Off course in such case, authority will judge his/her capacity to play the role. On the other hand, the only officer will act as “designated officer”

6. Question: If anyone requires information through e-mail/Fax and “designated officer” does not have electronic service, how information will be provided?

Answer: According to RTI Act 2009, Section 7 if both parties have electronic support/services, then Information can be provided through this media.

7. Who will take the duty if “designated officer” goes to receive any training?

Answer: In every “information providing unit”, an alternative person will be recruited to play the role of “designated officer”.

8. Is there any fixed timeframe to request for information?

Answer: No, there is no time limit to request for information. Off course, in the case of examination, information can be provided after the publication of result.

9. Question: Who will take the decision about the requested information is threatening for state or not?

Answer: “Designated officer” will use his/her own judgment in this regard. There is provision of appeal to appellate authority and then accusation can be submitted to Information Commission. Information Commission will take necessary steps for the charge.

10. Is there any provision to file case against an authority in RTI Act 2009?

Answer: According to RTI Act 2009, section 29 no person shall, except preferring an appeal before an appellate authority or, as the case may be, lodging a complaint before the Information Commission under this Act, raise any question before any court for anything done or deemed to be done, any action taken or the legality of any order passed or any instruction made under this Act.

11. Question: If the applicant does not come to receive the requested information?

Answer: If the applicant does not pay the price, information will not be provided. But if he/she pays the price then any authorized person mentioned in the form as receiver can get the information.

12. Question: From when the time limit for information supply will be counted, from the date of application or payment date?

Answer: From the date of application.

17. Question: Is there any necessity to post a stamp on the application?

Answer: No, still now no fee for application is required but for the requested information (if received) the fixed price will have to be paid.

18. Question: Is there any provision to spend the realized price from the supplied information?

Answer: No. This money will be deposited in government treasury. Expenditure for information supply will be met up from the regular allocation.

19. Question: If anyone applies through email, how will he/she sign in the application?

Answer: A scanned copy of the signed application will be sent by e-mail.

20. Question: Can the E-service centers be considered under the purview of Right to Information?

Answer: Since these E-service centers are not government statutory organizations, these can not be considered as “information providing unit”. Off course, these centers can cooperate to supply information properly.

21. Question: How can we get the information about stamp price?

Answer: According to RTI Act 2009, Section 8, information price will be realized.

22. Question: If anyone requires information to do harm of others?

Answer: There is no opportunity to check why a person is taking information. Except information under Section 7, “designated officer” is compelled to supply any information requested by the applicant.

23. Question: If anyone requests information through e-mail, how the price will be realized?

Answer: Since there is no expenditure for photocopy or any other purpose, the information can be supplied without any cost. Off course, if needed it can be demanded from the applicant.

24. Question: How the exact and logical price will be fixed?

Answer: There is detail direction on this in the RTI Act.

25. Question: If anyone requires education related information to an Agriculture Officer, how he/she will provide this?

Answer: Agriculture Officer will provide the preserved information under his/her office or he/she can provide this collecting from the subjugated office. Since education office is a separate information providing unit, the applicant will request such information from education office. Agriculture Officer will inform the applicant about his/her inability.

6.4 Questions Submitted to the Parliament

QUESTION	ANSWER
*199: Md. Mujibul Haque (Kishoreganj-3): He requested to the Honorable Minister to kindly specify the steps taken by the Government to make the general people aware of the Right to Information Act.	Abul Kalam Azad, Information Minister The following steps have been taken by the Government to make the public aware about the Right to Information Act: 1) With the help of the district administration and in co-operation with the Information Commission, the Government has arranged awareness building programs in different districts and villages of the country. In the programs the Deputy Commissioner, NGO workers, civil society representatives and representatives from print and electronic media and also a large number of people were present. 2) Two mobile phone operators namely GrammenPhone and Robi axiata are sending free SMS about RTI Act to people as part of their Corporate Social Responsibility. Already 28 crores of SMS have been sent to the people. At the same time, the scroll in television has been used to show case the Information Right of the people. 3) Officers in different government and non-government organizations are being trained on the RTI Act. 4) Last December, 2011 Cabinet Secretaries from 45 Ministries were made aware of the RTI Act through an idea discussion program. In these sessions, Ministers were present at different times. 5) Besides numerous shows on RTI Act, a 13 minute long spot was broadcasted on Bangladesh television for 50 times. Besides, the awareness programs on RTI Act have been telecasted in different BTV programs such as News Everyday (<i>Khabor Protidin</i>), Follow the Law (<i>Ain Meney Choli</i>), News Afterward (<i>Shangbad Porikroma</i>) and Human Rights (<i>Manobadhikar</i>).

QUESTION	ANSWER
117: (a) Abdullah-Al-Kaiser (Narayanganj-3): Is there any plan to create an	Abul Kalam Azad, Information Minister (a) Till now there is no plan to establish an upazilla based committee in every upazilla that will be headed by

Upazilla committee lead by the chairman in every upazilla with an aim to implement the RTI Act very soon?	the respective upazilla chairman. A number of activities have been undertaken by the government and the Information Commission to make the RTI Act popular among which sending SMS in mobile, scroll in the television, arranging awareness programs at district and upazilla levels, campaign in the media are notable. In future, with an aim of proper implementation of the law, the government has plans to increase its campaign in both BTV and other electronic and print media. Besides, folk songs (<i>Jari gaan</i>), dramas, newsletter publishing and distribution, voice SMS distribution and arranging workshop to make the RTI Act more popular are under the consideration of the government. There is no Committee of Information Commission Act at division, district or upazilla level.
(b) Will the Sonargaon upazilla in Narayanganj district be created immediately? If yes then by when will it be created; if not then what is the reason behind this?	(b) Since there is no plan to establish any committee at the upazilla level in the country, hence no such plan exists for Sonargaon upazilla in Narayanganj district.

QUESTION	ANSWER
118: Abdullah-Al-kayser (Narayanganj-3) (a) When were the guidelines of RTI Act provided by the Information Commission for approval? (b) Will the guidelines be implemented immediately; if yes then by when if no then what is the reason?	Abul Kalam Azad, Information Minister (a) The guidelines of the RTI Act have been approved from the Information Commission on January 10, 2011 and published in the Bangladesh Gadget on June 14, 2011. (b) These guidelines have already been approved and circulated.

QUESTION	ANSWER
114: (a) Abdullah-Al-kaiser (Narayanganj 3): Is there any plan to make a order to hang the basic objectives of the RTI Act	Abul Kalam Azad, Information Minister (a) If it is the responsibility of the Government or non-government or foreign funded organizations to appoint a designated officer to provide information as stated by the RTI Act 2009. In

and a list of the designated officers in every Upazilla Parishad office? If no then what is the reason?	accordance to this requirement, all the offices have already appointed designated officers and circulated it on the notice board. The Information Commission has published the name of all designated officers on their website. District administration has also published this in their official website. As a result, it is under consideration to order all offices to publish the list.
(b) Will the above direction be given to all union parishad offices in the Sonargaon upazilla in Narayanganj district? If no then what is the reason?	(b) Similar steps will be taken for Sonargaon Upazilla in Narayanganj district.

QUESTION	ANSWER
120: A.B.M Asraf Uddin (Nizan) (Laximipur-4) Recently the Government has proposed a draft of guidelines to control the news casting private channels. Will the proposed guidelines disrupt the freedom of the news paper and media; if the answer is yes, has the Government taken any plan to cancel the mentioned draft guidelines?	Abul Kalam Azad, Information Minister (a) The present Government is determined to establish the freedom of newspapers and free flow of information according to its election mandate. The question does not arise that a guideline will be provided that will disrupt the freedom of the media. However, a broadcasting guideline is necessary to ensure that the media adheres to the rights of the public. The guidelines will be provided upon discussion with the general people. There is no scope to cancel a draft of guidelines until it is completely implemented.

QUESTION	ANSWER
125: Jafrul Islam Chowdhury (Chittagong 15) (a) Does the government have a predefined plan for the next four years for implementing the RTI Act; if yes then what is it; if not then why? (b) What is the name,	Abul Kalam Azad, Information Minister (a) The Information Commission has provided the roadmap of the RTI Act, 2009 for the next one year. According to the roadmap for the year 2011-12, 18 core SMS will be sent, 2000 minute scroll, 60 public awareness meeting and 2 dramas will be broadcasted. Already the Information Commission has taken initiatives to send 21 crore SMS, scrolls in different Television Channels, arrangement of public awareness programs in 53 districts and 4 upazillas and training of 1704 designated officers. (b) According to Section 2(b) of the RTI Act, 2009

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designation, e-mail address and contact detail of the designated officers for providing information at the Government or non-government universities in Dhaka, Television Channels and top 30 national dailies of the country?	only government organizations, government and foreign funded private organizations and private organizations who are responsible for doing government activities in accordance to their agreement with government are obliged to follow the requirements of the RTI Act, 2009. Private Universities, Private Television Channels and national daily newspapers are not under the RTI Act. Government Universities and Bangladesh Television have appointed designated officers whose name are provided on the Information Commission (www.infocom.gov.bd) website.
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QUESTION	ANSWER
126: Jafrul Islam Chowdhury (Chittagong-15) Will a panel of officials be provided by the ministry to implement the RTI Act quickly for the betterment of the country and; if no then why?	Abul Kalam Azad, Information Minister There is no plan yet to send proposal to the respected ministry for the establishment of a panel of officials to implement the RTI Act. However all the ministries have been directed to provide and publish information themselves.

QUESTION	ANSWER
373: Abdullah-Al-Kayser (Narayangonj-3) (a) Will the guidelines of telecasting different shows reflecting the main objectives of the Right to Information Act be determined? If yes, then when and no, then why? (b) As recognition for vast RTI campaign, is there any plan to award the best 5 channels on next International Right to Information day; if no; what is the reason behind this?	Abul Kalam Azad, Information Minister (a) There is no plan yet to present the main objectives of the RTI Act in a variety of forms on television. However, the IC has devised a one year roadmap for its activities. In the above roadmap, providing scrolls in television, <i>jaree gan</i>/drama shows are in the plan of the IC. The present government is determined to ensure the freedom of the press. Hence, Government has no plan to impose anything on media. But a guideline will be determined upon consultation with all the people. (b) There is no plan to award the best channel who has campaigned for proper implementation of the RTI Act, This proposal will be considered in the future.

QUESTION	ANSWER
1907: Abdullah-Al-Kayser (Narayangonj-3) According to RTI Act have all the offices recruited	Abul Kalam Azad, Information Minister The appointment of designated officers in all government and non-government organizations all over the country has been partially completed. The

designated officers and appellate authority all over the country? If not, then what is the reason?	appointment of designated officers and appellate authority has not been completed at all levels of information providing units. It is a continuous process. Within a very short time the appointment is expected to be completed.
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QUESTION	ANSWER
665: Jafrul Islam Chowdhury (Chittagong-15): (a) Is it true that, appointment of designated officers has not yet been completed in all the information providing units, if yes, then will the responsible people be identified with reasons if no then why? (b) Will necessary actions be taken against the responsible people? If yes, then when and if no then why?	Abul Kalam Azad, Information Minister (a) According to section 10 of RTI Act, 2009 the appointment has been completed partially, keeping this in mind, the Information Commission is carrying out a number of demonstrations such as public awareness programs, campaigns in print and electronic media, sending letters in different government and non-government organizations, organizing discussion sessions, sending SMS in mobile, and television scrolls all over the country have accelerated the appointment process. Already 8925 officials have been appointed. It is expected that if such campaigns are continued and people become interested in the RTI Act, then the organizations will take steps to appoint the required officers. It is a continuous process and all the designated officers have not been appointed till now in this regard, all available steps have been taken and the appointment process will be completed within a very short time. (b) Since RTI is a relatively new act, hence time is required for its complete implementation. By punishment only, the act cannot be completely established. Increasing the awareness of the public and the responsibility of the public will ensure proper implementation of the Act. Otherwise provision of fine in the RTI Act will ensure that fines are imposed in undesirable cases.

QUESTION	ANSWER
1298: Begum Faridunnisa Laili (Women Cabinet 18) What benefits are the people of this country getting from the Information	Abul Kalam Azad, Information Minister The people's right to information has been established after the commencement of the RTI Act 2009. Under this Act, the people can obtain information from government and non-government organizations, also

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Commission; how many complaints have the Commission received since its establishment, how many have been solved?	from government/foreign funded private organizations, Under this act the empowerment of the people has been ensured and transparency and accountability of the offices have been achieved. From its establishment, a total of 57 complaints have been filed and among these 32 complaints have been solved.
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QUESTION	ANSWER
1349: Abdullah-Al-Kayser (Narayangonj-3) (a) Is it true that some people have requested for the punishment of the people involved since their complaints were not dealt with accordingly, if the answer is yes than what is the name and address of the applicant and full description of their application? (b) Will the guilty person be penalized according to the worker behavior guidelines of the Commission, if yes, then when; if no, then, why?	Abul Kalam Azad, Information Minister (a) It is not true, however according to section 25 of RTI Act 2009, a person can lodge a complaint to the Information Commission if he/she gets no information upon request. The commission has received 57 such complaints out of which 32 have been solved and the remainder is in the process of receiving thoughtful decision from the commission. (b) Not according to the worker guidelines of the Information Commission, it is according to section 27 of the RTI Act that actions can be taken against the persons who prevent others from getting information.

QUESTION	ANSWER
451: Abdulla-Al- Kaiser (Narayangonj-3) According to the RTI Act, how many designated officers and appellate authority are stationed in the branches of state-owned and private banks including <i>tafsili</i> banks in Narayangonj and what is their number at Upazilla level?	Abul Kalam Azad, Information Minister According to the RTI Act, among the <i>tafsili</i> banks at Narayangonj district only Grameen Bank has appointed designated officer and appellate authority.

QUESTION	ANSWER
452: Jafrul Islam Chowdhury (Chittagong-15) (a) Has the appointment	Abul Kalam Azad, Information Minister (a) The appointment procedure is being completed in two ways at the Information Commission. The first class officers are being appointed by PSC.

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process of the Information Commission been completed, if no why?	The commission presents appointment opportunity for the second class, third and fourth class employees and selects the employee out of all the applications that are submitted. It is expected that the employment can be completed within this year.
(b) What is the number of applicants in accordance to the circulated posts?	(b) At the Information Commission 2215 applications have been submitted against 36 posts in 19 categories of second, third and forth class.

QUESTION	ANSWER
478: Jafrul Islam Chowdhury (Chittagong-15) (a) What is the number of designated officers and appellate authority under the Ministry of Health? (b) What are the names and designation of the designated officers and appellate authority who are responsible for providing information of 50 government and top private hospitals in Dhaka city?	Abul Kalam Azad, Information Minister (a) Till June 20, 2011 there are 482 designated officers and 64 appellate authorities who are responsible for providing information, according to the Information Commission. (b) The Information Commission does not yet have statistics regarding the names and designation of the designated officers and appellate authority appointed for 50 government and top private hospitals in Dhaka City.

QUESTION	ANSWER
192: Jafrul Islam Chowdhury (Chittagong-15) (a) Is it true, that it has been proposed to incorporate RTI Act in the text book, if yes then what is the description of the proposal; (b) Has the designated officers and appellate authority been appointed to provide information in the government private colleges or university colleges, if no, then why?	Abul Kalam Azad, Information Minister (a) Yes, it is true, request has been sent to the Education Ministry regarding incorporation of RTI in the text books the details of which has been provided in appendix-A. (b) The designated officers and appellate authority have not been appointed in all the government and non government colleges and university colleges all over the country. According to the obtained information, the designated officers and appellate authority have been appointed on 54 government colleges and university colleges within time.

QUESTION	ANSWER
193: Jafrul Islam Chowdhury (Chittagong-15) Is it true, that if the Commission becomes stronger; then corruption will be reduced? If yes then what steps have been taken to make the commission stronger and fast-moving in future?	Abul Kalam Azad, Information Minister According to the Article 39 of the Constitution of Bangladesh, thought, conscience and freedom of speech are considered to be the basic rights of the people. Beside this, ensuring free flow of information for mass people is given high priority in the election mandate of present Government. As a result the RTI Act has been commenced to ensure the right to information for the people and transparency and accountability at every sphere of administration. If RTI Act is implemented in letter and spirit then corruption will be reduced in the country and at the same time accountability can be ensured every where. Already different steps have been taken to make the Information Commission stronger and fast reacting. Among these allocation of money, recruitment of work force, procurement of office equipments and vehicle, constructing Commission's own building, setting up its own server station, building website and providing the required rules and regulations. Beside these other effective initiatives are to publish the annual report, planning to inspire Ministry of Health and Planning, Ministry of LGED, Ministry of Primary and Mass Education and Bridge Department to provide suo-moto information. In this regard, the Ministry of Finance and donor organization World Bank are providing proper help and advice. The present Government will take all necessary steps in the future to strengthen the Information Commission.

QUESTION	ANSWER
628: Momtaz Begum (Women contitvent-21) The RTI Act has ensured peoples' right to obtain information. Under this Act, has the general public faced any trouble in obtaining information' if yes, is there any necessity to bring rectification/amendment in this act?	Abul Kalam Azad, Information Minister Some important challenges concerning implementation of the RTI Act are; ➤ The main challenge is to create awareness among grass root people about RTI Act. The main reason behind this is their unawareness about the basic rights, they live below the poverty line and they do not have access to the internet. ➤ Shortage of skilled workforce and lack of digital procedure for data storage such as information preservation system and introduction of web base data base in government and non-government organizations. ➤ The negative mindset of the officials to provide suo-moto information in accordance to the section 5(1) of the RTI Act.

	➤ The success of the designated officers is very much linked to the awareness of the appellate authority. The Act is still in its initial stage. The work of making additions and corrections of the act will be made in the future following the testing of the act.
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QUESTION	ANSWER
646: Hossain Mokbul Shahriar (Rangpur:1) (a) Countries that have implemented the RTI Act, what is their position in the list of the top corrupted countries; if yes, then what steps will be taken to immediately implement this act in Bangladesh? (b) When will the act be completely implemented; if not, then why?	Abul Kalam Azad, Information Minister Yes, true , the following steps will be taken in future to implement the RTI Act at field level: (1) Ensuring the appointment of designated officers in every government and non-government offices. (2) To expand the public awareness programs at the district and Upazilla levels. (3) To provide financial and logistic support to the designated officers under the RTI Act. (b) Since it is a continuous process hence a fined date of full implementation of the RTI Act cannot be stated.

QUESTION	ANSWER
2589 : Abdullah Al Kaiser (Narayangonj: 3) (a) Is there any initiative(s) to build Information Commission's own complex! if no then what is the reason; and (b) Is there any initiative to recruit Information Commission's approved workforce to make the Commission speedy; if yes, then by when, if no, then what is the reason?	Abul Kalam Azad, Information Minister (a) Land has been sanctioned already for Information commission. Now steps have been taken to acquire cash, after then building Commission's own complex will be started. (b) To bring back the intensity to the IC, The process of appointing the approved work force is ongoing. The process of advertising on the newspaper regarding the employment is underway. Letter has been sent to the public service commission (PSC) asking for deployment of officials in certain categories.

QUESTION	ANSWER
1972 : Abdullah-Al-Kaiser(Naranyanganj:3) a) Is there any plan to launch a different TV Channel for the children	Abul Kalam Azad, Information Minister a) Under present condition, no such plan exists to establish separate TV channel for the children. To setup a TV-channel requires large number of workforce and financing. That is why; setting up

especially the autistic children to achieve right to information and also for their mental growth; if yes, by when ,if no, then why; b) According to the RTI Act will all the Ministries/Departments be asked to provide suo-moto information; if yes, then by when, else, why?	different TV channel with different objectives is very tough. In the meantime 3 (three) different TV Channels namely BTV, BTV World and Sangsad Bangladesh are operating their broadcasting activities. Besides, another channel by the name of Unnoyon Channel is under plan to launch by the government. b) According to the section 6 of the RTI Act, 2009, all Ministries/Departments are directed to provide suo-moto information to the public. Hence, the following five Ministries/Departments have taken steps to provide suo-moto information. 01) Ministry of Health and Planning 02) Ministry of Information 03) Ministry of Primary and Mass Education 04) Ministry of LGED 05) Department of Bridge, Ministry of Communication According to the meeting held in Information Commission with the presence of all these five Ministries, Department of Bridge is going to publish suo-moto information and the other 4 (four) Ministries have also taken the similar steps. Other Ministries/Departments will periodically take steps of providing their information.
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QUESTION	ANSWER
758: Abdulllah–Al-Kaiser (Naranyanganj-3): Is it true that a minimum of 80 NGOs participated in the movement of establishing the RTI Act. If yes then what is the name of the NGOs, Chief Executive of these organizations, name, phone/cell phone number and address of the designated officers and appellate authority?	Abul Kalam Azad, Information Minister ‘The RTI Act the result of the movement of 80 NGOs’ this information is not true. Actually the main factors behind the commencement of RTI Act is the Constitutional responsibility, present Government’s election promise and side by side civil society representatives and different NGOs have played important role. According to Article 39 of the Constitution thought, conscience and freedom of speech is one of the basic rights and Right to Information goes under this right. To ensure people’s right to information RTI Act is commenced. Already 1469 designated officers from different NGOs have been appointed for providing information. The name, address and phone number of these officers are provided in Information Commission website www.infocom.gov.bd/appendix -A)

QUESTION	ANSWER
54: Mostaq Ahamed Ruhi (Netrokona-1): Is there any plan to compulsorily establish	Abul Kalam Azad, Information Minister For proper implementation of the RTI Act and to ensure easy access to information, the Government has planned to establish Electronic Information Desk in all

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Electronic Information Desk in all Ministries and Departments? If yes, then when it will be implemented?	Ministries/Departments. This will be realized periodically. The Government is considering of making it mandatory.
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QUESTION	ANSWER
110: Sadhana Halder (Female-constituency -32) Commencement of the RTI Act is a revolutionary step by the Government. Is there any plan to carry out public awareness activity to make people interested to know information?	Abul Kalam Azad, Information Minister Information Commission has covered 33 districts through arranging public awareness and opinion sharing meeting at divisional, districts and upazilla levels where civil society representatives, heads of different educational institutions and local public representatives were present. IC has already signed a Memorandum of Understanding with Grameen phone and Rabi axita, under which different SMS have been sent via mobile phones and campaigns are carried out in BTV and other TV channels. Besides, the IC has taken initiative and made 02 booklets and 01 leaflet which have been sent to various institutions. IC has already carried out opinion sharing meeting with print and electronic media representatives.

QUESTION	ANSWER
Mostaq Ahamed Ruhi (Netrokona-1): Is there any plan to compulsorily establish Electronic Information Desk in all Ministries and Departments? If yes, then when it will be implemented?	Abul Kalam Azad, Information Minister According to the sub-section 5(2) every authority shall, within a reasonable time-limit, preserve in computer all such information as it thinks fit for preservation in computer, and shall connect them through a country-wide network to facilitate access to information. According to Rules 7 of Right to Information (Receiving Information) Regulation 2009, each authority, depending on the availability of internet service, will always activate their internet connection for information providing and receiving digitally. The information receiving system will be easier when each authority will be able to introduce digital system with the help of Information Commission, Ministry of Information, Ministry of Science, Information and Communication Technology, Bangladesh Computer Council, A2I Project and other relevant offices. At the primary stage, Government will consider to compulsorily establish Electronic Information Desk in all Ministries and Departments.

QUESTION	ANSWER
1828: Begum Sultana Bulbul(Female constituency 34	Abul Kalam Azad, Information Minister According to section 10 of the RTI Act, 2009, every office will appoint designated officer for providing

How many information requests from general people have made to the honorable Prime Minister, honorable Leader of the Opposition, Prime Minister's Office, Election Commission Secretariat and Secretariat of the National Assembly?	information. The names and addresses of 1889 designated officers have been provided in the IC website (www.moi.gov.bd). But the specific number of applications submitted to different authorities is not available in the Ministry. Off course we have a plan to get these information through developing Management Information System (MIS).
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QUESTION	ANSWER
1836: Hossain Mokbul Shahriar (Rangpur-1): Is it true, that the guidelines of the IC were not distributed due to some technical issues? If yes, what are the technical issues; and when will be the problems solved?	Abul Kalam Azad, Information Minister In light of section 33 of RTI Act 2009, Right to Information (receiving information) Regulations, 2009 was commenced and it was published on October 27, 2009 in the extra version Bangladesh Gadget. After an amendment in Rule-6, the amended regulation was published in the extra copy of Bangladesh Gadget. Already the copy of this regulation has been sent to all Ministries/Directorate/Divisions/Departments. It is also available in the Information Commission website from where it can be downloaded.

QUESTION	ANSWER
514: Abdullah Al Kaiser (Narayonganj-3): Is it true that, the RTI Act is the strongest weapon to bring change, to ensure people's information right and to establish transparency and accountability? If yes, then is there any initiative to carryout huge campaign in mass media for proper implementation of the Act?	Abul Kalam Azad, Information Minister The RTI Act, 2009 has been enforced to ensure the empowerment of the people and to ensure transparency and accountability at every level of administration. To implement the Act properly huge campaign is being carried out. The IC has already made awareness and advertisement activity on the RTI Act, 2009 in 25 districts. Namely; 1. Comilla 2. Gazipur 3. Narayanganj 4. Munshganj 5. Manikgonj 6. Rajburi 7. Faridpur 8. Magura 9. Jessore 10. Narail 11. Gopalganj 12. Madaripur 13. Natore 14. Shirajgonj 15. Narshingdi

	16. Barisal 17. Rangpur 18. Mowlavibazar 19. Habigonj 20. Dhaka 21. Chuadanga 22. Meherpur 23. Kushtia 24. Naogaon 25. Chapainawabganj Besides getting views of mass people and government/non-government officials, Information Commission has undertook various workshop, seminar, government training academy, different NGOs, aborigines associations, Community Radio Network, interviews in different newspapers, editorial/ sub-editorial publications, Talk Shows in electronic media and meeting with international press institute (IPI). In this fiscal year, Information Commission has taken working plan for increasing the popularity of RTI Act among the public.
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QUESTION	ANSWER
60: Hossain Moqbul Shahriar (Rangpur-1): What are the names and contact details of the designated officers appointed at government Ministries, Departments, Divisional offices and District offices, Will the name be published immediately in IC the website?	Abul Kalam Azad, Information Minister In the light to section 10 of the RTI Act, 2009, the names and contact details of 1541 (one thousand five hundred and forty one) designated officers have been provided in the Ministry of Information website www.moi.gov.bd. As a continuous process Ministry is regularly updating the information through providing the name and contact detail of newly required designated officers It must be mentioned that the IC website has been developed in co-ordination of the Bangladesh Computer Council. The commission is strongly hopeful that the website can be launched by the next June, 2010.

QUESTION	ANSWER
13: Hossain Moqbul Shahriar (Rangpur-1): Is there any case of rejection where any citizen or journalist wanted information but was denied; If the answer is yes, will actions be taken in light to the RTI Act?	Abul Kalam Azad, Information Minister The Information Commission has started its work officially from the 2nd July, 2009. People have sent copies of application to IC in regard to their prior request for information to different authorities. The IC has 18 such copies of application. In these cases, the IC has directed the authorities to provide information and in case where the request is not clear, the IC has diverted to provide an investigation report in accordance to the regulations of RTI act, 2009. Till now Information Commission has received only one application which was submitted following the proper steps. The

	complaint has been filed by the Bangladesh Environmental lawyers Association which is under on going legal procedures.
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QUESTION	ANSWER
18: Abdullah Al Kaiser (Narayanganj-3): What are the phone numbers and contact details of all designated officers responsible for providing information of the government Ministries/Departments in Dhaka city?	Abul Kalam Azad, Information Minister A list incorporating the name, phone numbers and detailed information of the appointed 36 designated officers in Dhaka city is enclosed (Appendix: D)

QUESTION	ANSWER
19: Abdullah Al Kaiser (Narayanganj-3): What is Information Commission Organogram? What are the responsibilities, name and contact details of all the officers according to the organogram?	Abul Kalam Azad, Information Minister A copy of the organogram with an approval for 19 Officers and 57 staffs from the Ministry of Establishment, Ministry of Finance, Committee of Secretaries and the honorable Prime Minister is enclosed (Appendix-E). According to the approved organ gram the responsibilities of 19 officers (Appendix: F) and the names, designations and phone numbers of the officers currently working at the IC are attached (Appendix: G)

QUESTION	ANSWER
1042: Sadhana Halder (Female Constituency-32): The present Government has been praised every where for the commencement of RTI Act. Though it has ensured the information right of all people, still the dumb are deprived of this right. The honorable Prime Minister has ordered to introduce news broadcasting through sign language in BTV and other TV-channels. Will the Government take any effective steps to ensure the use of sign language in all TV channels?	Abul Kalam Azad, Information Minister The Bangladesh Television has been regularly broadcasting a 25 minute long news based program under the name <i>Pakkhik Barta</i> . Following the order of the honorable Prime Minister Bangladesh Television has been broadcasting a 5 minute long news bulletin at 5 pm with sign language for the hearing disabled. Beside this, private channel named Desh TV is also broadcasting news using sign language. The other TV channels are also requested to broadcast news using sign language.