

**Ground Realities, Issues and Potentials of RTI
Implementation: A Piloting Case of BPATC-MJF
Collaboration in Manikganj**

Manusher Jonno Foundation
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This paper has been developed with the data collected from a questionnaire survey, journalistic investigation, Focus Group Discussions, informal discussions and observation. Questionnaire survey was conducted among the BPATC-MJF Trained Designated Officers. Other form of field investigations were conducted at community level

Preface

The enactment of Right to Information Act, 2009 in Bangladesh added a new dimension as far as governance system is concerned. This Act is considered as one of the vital instruments in making the governance system more transparent and responsive leading to improved livelihood for poor and disadvantaged people. This Act has recognized citizens' right in terms of accessing to information, and has imposed obligation on the Authority to provide information voluntarily or when it is asked. The key players for the implementation of RTI Act are the Designated Officers (DO) working in government offices across the country. They are mainly responsible to receive and deliver the information. In this context, there is a need to capacitate them. In Bangladesh majority portion of the population lives with poverty and suffers from lack of required information which results in becoming marginalized and confront more vulnerable situation. RTI Act 2009 is a contributory vehicle to change poor peoples' lives and livelihood though they are unable to take its advantages because of ignorance.

Manusher Jonno Foundation (MJF) has been playing a vital role since the very beginning of this movement. MJF contributed to make it a country-wide campaign, drafted the law, arranged seminars at multiple levels, liaised with the political parties and so on. MJF, along with its network, is now active in implementing the Act. Bangladesh Public Administration Training Centre (BPATC) is the apex training institution of the Government of Bangladesh in the field of public administration and management. Keeping this in mind, MJF In 2010, undertook a capacity building pilot program for strengthening the capacity of government functionaries with central attention on the DOs under RTI Act, 2009 in collaboration with BPATC. Five organizations were appointed to raise awareness at community level. Manikganj District was selected as the pilot area.

The main thrust for undertaking such piloting was to orient the DOs about the spirit of the Act and their roles and jurisdictions. The initiative also was targeted to capacitate the DOs in terms of record management and openness. To address mass awareness on RTI related issues, targeted sensitizing programme was also a part to empower demand side through selected local NGOs to generate demand for information which are related with people's access to resources and services. From BPATC-MJF collaboration we have experienced that it is less expensive when the training is institutionalized in training institutes as regular course. After organizing two FTC (Foundation Training Courses) with MJF assistance, BPATC has now integrated RTI Act in their regular FTC manual which has become cost effective.

The World Bank deserves appreciation for their role throughout the process. They acted beyond the conventional role of donor agencies. BPATC as a partner played significant role. We thank the concerned officials of BPATC for their arrangements and appointing resource persons. Our gratitude goes to the Designated Officers and their sincerity was inevitable to make it happen. We should thank five partner organizations: ARAB, STEP, TSDC, Kormojibi Nari, and SEDA for their tremendous efforts. MJF's RTI team must inherit the credit for taking up frequent challenges. Through TOT course we have received positive responses from major GOB training institutes and they want to take it further.

Finally, I would like to thank and congratulate the community people across the districts for being the integral part of this endeavor. We hope that such pilot case will be replicated further based on the lessons drawn.

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Introduction

Effective implementation of the Right to Information Act, 2009 has become the major prioritized area after the enactment of the Law. Institutional reform, capacity development, establishing a functional information management unit, creating culture of openness are considered as great challenges at the stage of effective implementation. It is clearly evident that prioritizing huge tasks of implementation, better coordination between government and non government actors particularly in the field of capacity development for demand and supply sides are essential but critical factors. The RTI Act itself has introduced provisions for citizen to seek or demand for information as right and obligation for duty bearers and specific non government institutions to establish free flow of information. In relation to capacity building for better and effective implementation of the RTI Act such concentration should get much attention.

In 2009, BPATC and MJF undertook piloting initiatives considering the need for capacity building of government officers/institutions as well as community people simultaneously, focusing on three major components a) strengthening capacity of DOs on RTI Act, b) demand side mobilization c) developing core trainer groups targeting leading training institutions. This initiative was innovative rather than simply fulfilling quantitative goals relating to training and mobilization program. Some innovative cases were: a) class room based training for DOs was connected with field based action plan implementation and sharing, b) use of print media to conduct an independent review on RTI implementation at pilot area and c) community mobilization along with test case of RTI application.

Under the piloting initiative, BPATC-MJF organized two capacity building workshops to prepare the DOs so that they can establish Information Providing Unit. At the same time, selected local NGOs worked to prepare the community people in assessing their needs and filing requests. Media was engaged to report on the implementation of with special attention on request tracking targeting information providing unit at upazila level. this allowed to have a third eye view to assess objectively the impact of training and demand side mobilization.

This report will give a picture of the post training impact in terms of readiness of Designated Officers (DO) indicating creating mechanism for voluntary disclosure, record management e.g develop a system to keep track of requests and related data and handling request within stipulated time as described in the Act. It will also highlight the NGOs intervention in mobilizing community in assessing their needs and file request accordingly.

To assess the readiness of supply side a questionnaire survey was administered among the trained DOs. Information on demand side awareness and application of RTI were mainly collected through FGD with groups. Total thirty three offices of eight departments of seven upazilas were selected on random basis under questionnaire survey. Frequent visit to local DO offices, communicating with community people, media reporting were

also used in collecting information. Focus Group Discussions (FGD) were conducted to assess the perceptions (on RTI) exists at community level. These were homogenous groups where the participants did not have to get shy. This allowed us having suggestions from the community people. In such sessions the participants commented on many issues ranging from the definition of RTI, its usage, existing barriers or potential directions for the future activities. Three FGDs were conducted in two upazilla's (Ghior and Saturaia).

Pilot Experiences

This part has highlighted overall experiences and lessons of this pilot programme.

Partnership with BPATC

The decision of building partnership with apex training institute like BPATC in terms of capacity building of DOs was strategic. Some critical factors such as institutionalizing, targeting GOB officials at entry level and potentials for expanding it further to other institutes were considered here.

Content drafting and Finalization for DO

- At the beginning of content designing and delivery of training programme of DOs few steps were taken in order to ensure positive responses and acceptability from Manikganj field administration. BPATC conducted a meeting at District Commissioner's Office involving the Head of all departments, UNOs to share purpose and scope of the pilot programme and the District Commissioner (DC) provided clear instruction and asked for necessary cooperation from all quarters. There were frequent coordination meetings between MJF and BPATC to finalize the draft content.
- Focus Group Discussions were conducted with clientele of different departments working at Manikganj District in order to get sense on information needs, barriers and expectations. This was considered while designing the content.
- A questionnaire survey was done among personnel of GOB departments working in Manikganj to assess awareness level, perception about use of RTI and resisting factors. This was too considered while designing the content.
- Draft content was shared with the experts drawn from GOB, NGOs and Information Commission.

The overall experiences and lesson that had been drawn from the process of content designing and finalizing was the necessity of involving all relevant stakeholders in order to ensure effective feedbacks and validation. Moreover, BPATC played the key role in ensuring endorsement from field administration. In relation to ensure the nomination

from different departments for training this strategy worked well but due to work load and other pressures some departments could were unable to send relevant officers at the training.

Demand Side Mobilization

- A rapid assessment was conducted to assess background, strength and limitations of local NGOs working at Manikganj. This rapid assessment helped us to find out the potential NGOs for engaging in RTI mobilization.
- Since selected NGOs were not familiar with RTI law and issues, a series of interventions including orientation, IEC materials distributions and other measures were taken directly by MJF.
- Print media was engaged to ensure an independent review on RTI implementation at pilot phase.

Overall experiences in demand side mobilization reveal that targeted time was too short because NGOs were new in this field and the community was unaware of it. NGOs were more or less proactive in helping the community for filing applications rather than ensuring its proper uses. So the real value of RTI was not properly understood. Most of the selected NGOs are more oriented with service delivery-based activities and in such cases rights claiming agencies are in better position to identify RTI issues, engage the community and do necessary follow up.

Organizing TOT

- Development of the training manual focusing on both RTI content and methodology was a challenging task and this manual can be further improved.
- BPATC's strategic relation with existing GOB training institutes helped a lot to ensure nominations from Planning Academy, NILG, BARC, RDA, Police Academy and JATI.

TOT has opened up a wide horizon to take RTI capacity building programme at large scale targeting specific GOB departments.

Findings of the Field Assessment

Existing scenario of the demand side has been narrated in this section. This section will brief the audience on few issues encompassing awareness level of the community people, perceived importance of RTI, barriers to seek information, roles of the NGOs and challenges they met and suggestions came out from local level seminars. The NGOs involved in demand side mobilizing in seven upazila of Manikganj were; Steps, ARAB, Kormojibi Nari, SEDA and TSDC.

A table attached at annexure part provides detail coverage of various activities performed by above five NGOs in Manikganj.

Awareness Level

The NGO beneficiaries have come to know the enactment of RTI Act through this pilot project. At least they know there remains a law which can help them for getting information from the government and NGO offices. ***A calculation reveals that around 14 thousands across Manikganj District have directly been exposed to RTI issue through the project activities.*** That apart, more than 16 thousand audiences enjoyed the RTI related drama. A village woman in her statement said that,

‘Now we will be able to ask. This has huge importance. Thus we can challenge if corruption or irregularities take place’.

Many among them applied for the information though most often they took support from the concerned NGO staff. Filling-up of the application form was of some degree of efforts. Most of them were reported to be reluctant to go to the concerned offices as this requires two visits at least, the first one is for applying and the second one is for receiving information. Designated Officers express their concerns as well.

Understanding the Importance of Information

A village woman was asked to share her understanding on RTI. She said, ‘this is urgent to have the information on the activities of the local (government) offices. Previously we had apprehension to do that. Now we do not hesitate. We are entitled with right to know. We do not get medicine from the Upazila Health Complex. They just give us a slip and thus close their responsibilities towards us. Now we can ask them...’

During FGDs a range of definitions has been derived from the community which are as follows:

- Right to Information means the way we get to know the conditions for getting stipend
- Right to Information is a right like right to food or right to cloth
- This allows us having the opportunity to know

The beneficiaries of the NGOs (target population) are reported to have curiosity as far as RTI Act is concerned. The number of requests, attendance in the drama shows or the questions they raised in the courtyard meetings clearly indicate that community people want to have idea on RTI. However, all of them did not have any idea on RTI prior to the initiation of this project. The aforementioned definitions reveal that community people

contextualize RTI in their practical life. So for a student RTI means getting information on stipend where an aged woman might think of it as a tool for enlisting her name in the government safety net services.

RTI Act's benefits as perceived by the community

Local people believe that through the enactment of this Act they can get information directly. Previously the government officers did not provide the information despite having it in their grip. According to the rules the government officers are bound to provide information. If the information is not served within 20 days then appeal can be made, many are informed. One woman in informal interview stated, 'it is good if we remain aware of RTI Act.' She further elaborated saying 'through RTI Act we can have information on the total budget of the construction work particularly the allocation for day laborers. Here the day laborers get 100 taka as daily payment, which is not competitive considering market price.' The community expressed concern that despite being worthy of getting supported from government safety net programs a number of people could not avail the packages. Few influential people put pressure. Now they will be able to know about it using RTI Act. The community also expressed concerns or apprehension about appropriate use of RTI Act.

Though many of them expressed concrete examples on potential use of RTI it also reveals that people are more used to get information informally. It is also found that the communities don't have direct practical experiences that information can improve their livelihood options.

Existent Barriers in Seeking Information:

A number of people are yet to have idea on RTI Act. They are not familiar with it. One *Uthan Baithak* (courtyard meeting) session is not enough to get thorough idea on RTI. They think they may have to encounter unpleasant experience if they go for requesting information. An organization worked with the adolescent groups where the beneficiaries said parents might not allow them to go to government offices for getting information.

Getting information requires some degree of efforts. This requires time and money. One stated, 'day laborer depends on daily income. They have to abstain from doing income generating activities if they go to the government offices as most often these are far away from their locality. So they would not do that. They are yet to feel the importance of having information'.

There remains another type of frustration. A number of people think that the collected information will not bring any changes. In short, they are not sure whether they would be able to use it or not. They perceive that the journalists only require information and they can obtain it using their own rapport and networks.

NGOs Roles

In total 57 staff from 5 NGOs (STEP, ARAB, Kormojibi Nari, TSDC and SEDA) received training on RTI. This capacitated them to carry out the endeavor. The concerned organizations carried out the project activities within the existing groups. Courtyard meetings (530 courtyard meetings in total) had been the regular event from where the participants came to know what RTI is all about. In those sessions the participants were inspired to go for information request. The person him/herself chose the topic for which the information was required. However, for most of the people it was pretty tough to fill-up the application form on their own. The concerned project staff supported the requester in doing that. Most often the project staff of the concerned NGOs accompanied the requesters when they visited the government offices for seeking information.

Concerned organizations arranged drama shows (27 drama in total) so that the mass can get introduced with RTI. Total number of viewers was 16,500. The venue was selected following the convenience of the people. People irrespective of age, gender, class or literacy level joined those shows.

The concerned organizations worked as a consortium which allowed them to get united and as an aftermath there had been a program in Manikganj Proper on Right to Know Day. This drew huge public attention and undoubtedly a number of people, for the very first time, got to know about RTI. The NGOs who were engaged in this process are quite well known at local level and have large constituencies for mobilization work.

Readiness of the Supply Side:

This part of the report primarily presents few major aspects of readiness of different GOB departments of seven upazilas of Manikganj District, pilot area of the initiative. Readiness of GOB departments indicates trained or not trained on RTI issues, what steps were taken after receiving training on RTI, request handling capacity, challenges and actions suggested to improve the situation. Primarily it has captured views expressed by 59 sixty trained GOB Designated Officers (DOs) from different departments of the pilot areas which represent the concerned departments of livestock, youth development, family planning, cooperative, social welfare, women affairs, agriculture extension and public health engineering. All seven upazilas were covered under questionnaire survey but departments were selected scattered way in these upazilas.

Capacity Building Initiatives:

A simple questionnaire was administered through MJF selected five NGOs to total thirty three offices of eight departments of seven upazilas. Apart from 2 DOs all informed that they have initiated some tasks related to RTI Act implementation after receiving MJF and BPATC training. Establishing Information Providing Unit (IPU) and installing proactive disclosure through bill board, seminar, workshops meetings were two major tasks. Two departments, Social Welfare, and Cooperative of Satoria Upazila were found abstained from taking any action after receiving training mainly because of transfer of the trained DOs. The survey took place after three months of the trainings so apprehension is there that unless Information Providing Unit (IPU) involves other staffs of existing offices frequent transfer of trained DO will jeopardize the functions of IPU.

RTI at Field Level Departments

All designated officers excepts two cases covered by survey mentioned that they have established IPU which includes informing offices/staff about the extent of work of the DO, opening up register book and took step for proactive disclosure. Most of them mentioned about various medium for disclosing information proactively such as seminar, workshop, display board, sharing meetings etc. In most of the cases, clientele groups were being informed about functions of a particular department for such disclosure. Analysis of survey findings revealed that trained DOs taken first few steps of the action plan which were formulated at end of MJF –BPATC training.

Information Request Handling Status:

Table 1: The departments/offices those not yet received any information request

Name of Upazila	Name of Department/office
Daulatpur	-
Manikganj Sadar	Livestock, youth development, family planning, cooperative, social welfare
Satoria	Social welfare cooperative
Harirumpur	<u>Social welfare cooperative</u>
Shibaloy	<u>Cooperative</u>
Singair	Women affairs, youth development, cooperative
Ghior	Family planning, agriculture extension

Table 2: The departments/offices those have received quite a few applications

Upazila	Department/office	No. of application	No. of responded cases	No. of non responded cases	Comments
Saturia	Agriculture extension	19	2	17	No follow up from applicant sides
Saturia	Public health engineering department	18	18	-	-
Saturia	Livestock	7	7	-	-
Ghior	Social welfare	14	14	-	-
Ghior	Agriculture extension	8	8	-	-
Daulatpur	Public health engineering	10	10	-	-

Note: **More than six application cases presented here**

The above two tables present some interesting findings and in some cases these deserve to be investigated further for identifying underlying causes

- A good number of departments of several upazilas were yet to receive any demand /request for information (**table 1 above**). It is not the case which reflects that due to large extent of proactive disclosure the requested case is zero. Because same offices in other upazilas have received quite a few number of applications. The reasons may be that community or targeted groups are not fully mobilized, the NGOs may fail to identify or contextualize RTI issues and may be both demand and supply sides are used to receive/provide information following informal approach.
- It is interesting to note that one particular dept/office of Saturia upazila has received maximum number of RTI applications among surveyed offices but only two applicants came back to collect information following specified time period of RTI Act. It seems that in such case a large number of applicants submitted applications under the guidance of NGOs but was not sure about the use of information. So there was no urge to collect information after being notified. Here, selected NGOs provided much emphasis on teaching the target groups about how to submit RTI application but not on use of information.
- No rejection was reported in the offices covered under survey. It may be due to training and greater clarity on the issues related to exemption part of RTI Act 2009.

- Among seven upazilas some departments/offices such as public health engineering, livestock and agriculture extension of Satura (**table 2 above**) were found quite active in receiving and handling requested information though it is not true in all offices of the upazila . There is a need for further investigation why and how some departments/offices are more proactive to draw more insights.
- Requested issues were related to agriculture, family planning, enlistment in different types of safety net packages, loan, safe water etc.
- Number of applications received during first three months after getting the training is not large and it will not put extra work load on DOs.

Challenges

Challenges in relation for the demand mobilizing NGOs

This was for the very first time that the organizations got involved in RTI Project. For them the area of work was new. However, another challenge was to communicate with the government officials who, prior to the initiation of the project, remained unaware on the RTI. Mass people, in rural Bangladesh, struggle for minimum living. There has been a number of problems they confront everyday which can be visualized. In such situation getting them introduced to RTI had really been a challenge. The organizations were privileged in one sense as the target people came from their beneficiary groups.

Another challenge was to carry out such voluminous tasks within short period of time (six months). The given time seemed not enough to them. One NGO personnel said for the successful completion of such project it requires at least five years. Another problem was the transfer of the BPATC-MJF trained Designated Officers. For collecting information it requires multiple visits at least from a requester. In such case most often the concerned officers of selected five NGOs had to go the offices to accompany the requesters for several times. In many cases the requesters did not go. They just filled the form and requested the concerned NGO staff to complete the procedure on their behalf.

Challenges as perceived by DOs

- **The replies received against challenging issues related to RTI Act implementation are needed to be verified further.** Because all respondents mentioned about inadequacy of budget but did not provide any example/case where they could not work due to shortage of budget. Rather, in response to another question (added in the checklist for cross checking) they mentioned that no additional budget was needed to undertake first few steps initiating RTI work.

- Logistics shortage has been another common barrier following their feedbacks. This has not been specified but it may include furniture, equipment and other fixtures required for proper documentation.
- Among other problems they mentioned several issues such as; a) need for advance training/on the job training involving more than one person b) lengthy procedure of approval within the office and c) not sensitized higher authority.

Overall Challenges

- Transfer of Designated Officers was a hindrance to smooth and continuous support for establishing an information providing unit. It was not possible to expect similar type of services and behavior from newly posted person (as DO)
- Position of Designated Officer: In some cases Designated Officers had been selected from such ranks/positions that the nature of his/her job does not allow providing requested information in stipulated time.
- Training schedule required to shift due to unwillingness or delay of authority in nominating respective officers. Authorities are not very sensitized in sending officers to receive training on ToT on RTI Act.
- Demand mobilization was done as a piloting initiative. Without any incentives or financial support NGOs are not interested to integrate RTI in their regular program.

Lesson Learnt

- Partnership with public training institutes for capacity building initiative is a key step for mainstreaming RTI into training curriculum.
- Unless RTI is linked with livelihood issues directly demand for information will not get momentum . NGOs and other intermediary groups should learn how to link RTI with right to food, shelter and other basic rights.
- Only training to Designated Officers is not enough to ensure functional information unit mass awareness for demand for information and sensitization at all level particularly higher authority are key factors.
- On the job training for handling information request, proactive disclosure and documentation is needed besides institution-based training.
- In order to ensure the effective use of RTI Act improvement in record and data management is crucial step where training is not enough. Record management system reform is required.

- Government has already passed several laws/Acts which are complementing RTI Act and some taken initiatives are related to RTI. For example, citizen charter initiative will improve proactive disclosure system.
- Development partners particularly donors have critical roles and RTI issues can be mainstreamed into aid agenda.

Measures to be taken as suggested by DOS

Designated Officers outlined few issues/aspects as future immediate course of actions. They have emphasized on sensitization for both demand and supply sides including development of IEC materials and its wide dissemination (31 out of 33). Modes of sensitization as suggested include arranging training, seminar, workshop and drama for mass awareness. Some of them also suggested to include RTI issues into education curriculum. A large number asked for appropriate budget and logistical support to carry out such responsibilities (21 out of 33). Four respondents suggested to appoint DO at the level of controlling officer of a particular office, because as junior officers they faced problems in coordinating with higher officers.

Right to Information has opened up a wider scope to promote transparent and accountable governance system. If we can utilize the Act effectively, it will enhance government functionaries more capable to discharge their duties and responsibilities. Establishing functional Information providing unit, educating DOs on RTI Act vis-à-vis develop knowledge and skill in application sides of RTI law, data management, handling request have strong roles in disclosing information proactively. At the same time if poor people do not exercise or use this right they may not be able to realize their other rights which have a link for their vulnerabilities. Also it will lesson the gap between authority and common people if a culture of openness is created.

Conclusion

It is expected that training for designated officers and integrating RTI into regular training programs would be an effective measure for institutionalizing RTI. Without institutionalizing, it is not possible to carry out the program and cover all DO's and appellate authority under the purview of RTI spirit. It has been proved that institutionalization minimizes the cost of training. BPATC-MJF in collaboration had organized two Foundation training workshops for three days. It is noteworthy that BPATC has now integrated RTI into their regular foundation program and such integration has reduced the budget.

Also, it is not possible to carry out demand mobilization program with financial assistance. Every NGO has potential to address right to information through integrating it into their regular programme. So it needs to be mainstreamed. For this NGOs, public training institutes, media and other key stakeholders have crucial roles.

Annexure 1: NGO's Activities and Achievement in Manikganj, Oct 2011

Items	STEP	ARAB	TSDC	SEDA	Karmajibi	Total
Number of Staff Received RTI Training	10	22	9	10	6	57
Total Number of court yard Meeting conducted	80	220	80	120	30	530
No. of Beneficiaries Sensitized by the court yard meeting	2400	5500	2351	2856	912	14019
No. of Drama demonstrated	6	6	6	6	3	27
No. of spectators enjoyed the drama	5300	3000	4200	2400	1600	16500
No. of local level seminar arranged	1	1	1	1	3	7
No. of participant attended	47	39	63	52	134	335
Number of Applications (for information) Submitted	95	27	88	120	42	372
Number of Information Collected	58	16	31	74	36	215
What Types of Information Were Requested	1. Widow, divorcee & student allowance. 2. Organic fertilizer & ag. Loan. 3. Youth training & loan. 4. Khas land distribution criteria. 5. VGD card. etc.	Boyosko vata, Adomsumari, Information of free Sanitation and Distribution, Matrilo kal vata, Jubo unnan training etc,	1. Youth training. 2.VGD card 3. Fertilizer distribution. 4. Education rate of Upazila. 5. Widow, divorcee & disable allowance.	Additional: Maternity allowance. Election result. Arsenic level Medicine distribution list.	Widow-divorcee allowance, youth development training, youth loan criteria, list of service from health center, land Mutation, etc.	