Commonwealth Human Rights Initiative

The Right to Information Act 2005
E-Governance as an Implementation Tool

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Session Objectives

♦ Understand key provisions of the RTI Act 2005.

♦ Identify areas where E-Governance technologies can be applied to implement the RTI Act effectively.

Right to Information Act 2005

- Passed by Parliament in May 2005

- Formally came into force on 12 October 2005

- Covers all of India with the exception of Jammu and Kashmir

- Covers all Central, State and local government bodies including any body owned or substantially financed by govt. funds (directly or indirectly) includes NGOs

'Rights and Duties'

♦ Provides citizens with the **'right'** to **'information'** as defined under the Act.

♦ Public Authorities covered under the Act have a **'duty'** to provide information to the public
  – Proactively
  – On Request

Key Provisions

- – Proactively publish information held by public authorities
- – Appoint PIOs, APIOs, AAs
- – Set up Information Commissions, appoint Information Commissioners
- – Develop internal systems and procedures to process applications and appeals
- – Impart training to officers, monitor overall implementation of the Act
- – Raise Public Awareness and Education on the Act

Proactive Disclosure

♦ Public Authorities are required to provide 17 categories of information proactively to the public.

♦ E-Governance as an implementation tool
  – Internet & Departmental websites

  – International best practice: Mexico & UK

  – India: Internet users less than 2% total population
    • Community Information Centres as hubs?

Processing Information Requests

♦ Processing information requests
– PIOs, APIOs
– Making requests for information

♦ E-Governance to develop online information systems
– India, CIMS
– Mexican 'SISI' System

Processing Appeals

♦ Two stage appeals process
– First Appeal: Appellate Authority
– Second Appeal: Information Commission

♦ E-Governance systems to track and monitor appeals
– CIMS
– Mexican 'SISI' System

Records Management

♦ Reviewing existing practices
 – Public Records Act 1993 & RTI Act 2005

♦ E - Governance as a tool
 – Digitizing Records
  • Uttar Pradesh, "E – File System"

 – Developing E- Records Management Systems
  • International Records Management Trust
  • UK National Archives

Training

◆ Training officers to ensure compliance with the Act

◆ E-Governance to facilitate;

– Developing distance learning modules for public officials

– Online users guides and manuals.

• UNDP and TERI Training CD

Monitoring

♦ Duty to report and monitor implementation of the Act

♦ Developing e- systems to facilitate reporting and monitoring

  – UK Government Actuary Department – MS Access Freedom of Information Monitor.

  – India – Electronic and paper based systems?

Improving Public Service Delivery

♦ E-Governance can facilitate citizens access to information by providing:

- – Easy access to basic information online
- – Computerizing records, accounts, office orders, documents etc
- – Developing online grievance redressal systems
- – Public education and awareness

Developing an E-Governance RTI Regime

- ◆ Developing robust and efficient systems

- ◆ User friendly and accessible systems

- ◆ Uniformity and consistency across systems, departments and agencies

- ◆ E-Governance as only one tool to facilitate implementation

Thank You

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