

**CAPACITY BUILDING WORKSHOP**  
**FOR**  
**CIVIL SOCIETY ORGANISATIONS ON**  
**THE RIGHT TO INFORMATION ACT, 2005**

**3-4 May**  
**State Health and Family Welfare Society, Patna**  
**Bihar**

**WORKSHOP REPORT**

**Workshop report prepared by:**



Commonwealth Human Rights Initiative (CHRI)

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## **Background**

From 12 October 2005, the Right to Information Act (RTI Act), 2005 became fully operational across India. The Act provides people in India the right to access government-held information and requires systems to be set up for ensuring transparent and accountable government. The Act covers 'public authorities' at the national, state and local levels – duty holders who have obligations to deal with citizens' information needs. The Act includes institutions of self government such as Panchayati Raj Institutions (PRIs) and municipalities within the definition of the term 'public authorities'. The purpose of the Act is to create an informed citizenry capable of participating in the decision-making processes of government at all levels.

A concomitant objective of this law is to empower people to hold government and its instrumentalities accountable to their decisions and actions. Participation in the absence of information about the policies, programmes and processes of decision making is next to the impossible. In this context, the right to information becomes a key tool for ensuring that public authorities more effectively meet their goal of promoting participation and entrenching accountable government at the grassroots level.

It has been nearly two years since the RTI act has been enacted, yet its use has been limited to the larger towns and cities. Its use, especially in the rural areas has been very low, mainly due to the fact that there has been hardly any training or orientation programmes or large-scale awareness generation campaigns amongst the rural masses. Lack of awareness and training are the main reasons why people find it difficult to access information from various government bodies. Civil society organizations, especially those working at the grassroots in rural areas need to be aware about this landmark legislation in our country. More importantly they have the specific responsibility to spread awareness about this Act amongst the people and monitor its implementation. Therefore, in order to strengthen the implementation of RTI Act and spread awareness about it the two day capacity building workshop on RTI Act 2005 was conducted by CHRI for civil society organizations who are also partners in the PACS programme in Bihar. The CSOs were primarily from the Nawada and Gaya clusters of the programme. (Please see Annex 1 for participants list).

This report summarises the key discussions over the two days and attempts to capture the suggestions, ideas and queries of the participants and develop action plans to carry out activities on strengthening implementation of the Act.

## **Workshop Objectives**

The primary objectives of the two-day workshop were:

- Strengthen the understanding within civil society, regarding the key provisions in the RTI Act and the relevant operational rules and guidelines;
- Discuss in details the challenges and issues for entrenching openness in the functioning of PRIs and other public authorities with special focus on the information needs of the poor and the marginalized;
- Develop detailed follow-up action plans by the CSOs in using the RTI Act, monitoring its implementation and spreading awareness about it in the rural areas.

## **Participants Profile**

The workshop brought together about 54 participants representing civil society organizations from 13 districts, namely Nawada, Nalanda, Gaya, Araria, Jamui, Munger, Bhagalpur, Sasaram, Patna, Paschim Champaran, Banka, Jehanabad and Ara.

## **Learning materials distributed**

The following materials were distributed to each participant:

- CHRI's publication: Your guide to using the Right to Information Act 2005 (Hindi);
- Photocopy of CHRI's power point presentation on the RTI Act 2005;
- Bihar's RTI fee Rules;
- Pamphlets on RTI for Bihar

Besides these the English version of the User Guide as well as copies of the RTI Act in English were distributed to those participants who wanted English copies.

## **Introductory Session**

The workshop began with a welcome address by Mr. Renji George Joseph, State Coordinator, Programme Support Team, PACS. This was followed by an introduction session where all the participants introduced themselves and also spoke about their experiences in using the RTI Act. Based on this initial round of introduction it was seen that 12 participants knew the Act in details and were using it; 15 participants knew about the Act and have applied a few RTI applications while the rest had only heard about RTI and had come to the workshop to learn about it. After this the agenda of the two-day workshop was explained to the participants by the moderator of the session, Mr. Venkatesh Nayak, Project Coordinator, RTI at CHRI (See Annex 2 for agenda). He said that in addition to the sessions as mentioned in the agenda there would be a session on analyzing newspaper articles in the context of RTI. The participants also voiced their expectations from the two-day capacity building workshop which have been listed below:

## **Expectations from the workshop**

- To know in details about the various provisions in the RTI Act 2005 as well as the RTI rules made by Bihar government;
- To understand the obstacles being faced in the implementation of the RTI Act;
- To know and understand more about RTI and its use;
- To know the procedures involved in accessing information by using RTI Act and its use in solving problems;
- To know about the application process;
- To know about peoples experiences regarding the appeals and complaints mechanism;
- To know our roles as social activists in the context of RTI, especially the different techniques in involving people in the context of RTI;
- Understand RTI and use it in our PACS project;
- To understand the different methods of spreading awareness about RTI;
- Based on the discussions and experiences shared in the workshop develop a future course of action in order to strengthen the implementation of RTI Act in Bihar;
- To know about the practical use of RTI and how it is beneficial for people;

## **Session**

The workshop was designed with a focus on maximising discussion amongst participants with a particular emphasis on group work. During the course of the conference various problems arising out of the poor implementation of the *Right to Information Act*, (RTI Act) 2005 were discussed. The views and perceptions about the ground reality of the implementation of this Act were discussed based on which a detailed action plan was drawn up by the participants.

## **Day One**

### **Session I: Understanding the main provisions of the RTI Act**

After the introductory session, the resource persons namely, Sohini Paul and Rakesh Ranjan gave a brief overview of the history of the RTI movement in India, highlighting the role that civil society had played to pressure the government in enacting this important legislation. This was followed by a MS power point presentation on the RTI Act 2005.

### **Overview of the RTI Movement in India**

Though the right to information is not explicitly stated in the Constitution of India, there have been several judgments of the Supreme Court of India that have stated that this right to access information is implicit in the constitutionally enshrined right to freedom of speech and expression (Article 19(1) (a) and the right to life and liberty (Article 21). The first Supreme Court ruling dates back to 1975. However, no attempt was made by either the central or the state governments to enact legislation until the launch of a RTI movement by civil society.

The first and the most well known right to information movement in India was that of Mazdoor Kisan Shakti Sangathan (MKSS), which began its work in Rajasthan during the early 1990s. The struggle of the poor labourers and landless farmers for access to village accounts and transparency in administration is widely credited with having started the RTI movement in India.

From the mid 1990s, a national campaign for the enactment of a central law on right to information gained momentum, especially after the formation of the National Campaign for Peoples Right to Information (NCPRI). After much struggle, the Central Government enacted the Freedom of Information Act 2002. However, since a date for the Act coming into force was never notified, such that it never actually came into operation.

While the campaign for the national legislation was going on, several states enacted their state-specific RTI legislations. Tamil Nadu was the first State to enact a right to information law, in 1997, followed by Goa in the same year. After that seven other States have passed legislation – Rajasthan (2000), Karnataka (2000), Delhi (2001), Maharashtra (2002), Assam (2002), Madhya Pradesh (2003) and Jammu and Kashmir (2003).

In May 2004, a new UPA (United Progressive Alliance) Government came into power at the Centre. The national campaign for right to information received a major boost when the UPA Government's Common Minimum Programme promised that: "The Right to

Information Act will be made more progressive, participatory and meaningful.” The National Advisory Council (NAC) was set up to oversee implementation of the Government’s Common Minimum Programme. Since its inception, the NAC took a close interest in RTI and submitted draft NCPRI recommendations regarding amending the Freedom of Information Act 2002. The RTI Bill was approved by the Lok Sabha on 11 May 2005 and by the Rajya Sabha on 12 May. On 15 June President APJ Abdul Kalam Azad gave his assent to the Right to Information Act 2005. With presidential assent the Central and State Governments had 120 days to implement the provisions of the Act in its entirety. The Act formally came into force on 12 October 2005.

### **Overview of the RTI Act**

Following the introduction on the RTI movement in India, Sohini made a power-point presentation on the salient features of the RTI Act 2005, the details of which have been given below:

The RTI Act came into force on 12 October 2005 (120<sup>th</sup> day of its enactment on 15 June 2005). Some provisions came into force with immediate effect viz. designation of Public Information Officers (PIOs) and Assistant Public Information Officers (APIOs) [s.5(1) and 5(2)]; constitution of Central and State Information Commissions [s. 15 &16]; non-applicability of the Act to Intelligence and Security Organizations [s.24]; and power to make rules to carry out provisions of the Act [s.27 &28].

### **Coverage**

The Act purports to cover all “public authorities”. These have been broadly defined to include any body established or constituted by a law of the Central or State Governments (which serves to cover PRIs and municipal bodies). Public authorities also include any body owned, controlled or substantially financed by a Government and any non-government organization substantially financed, directly or indirectly by funds provided by a Government.

The Act confers a right to “information” rather than just “records” or “documents”. Information has also been broadly defined to permit the inspection of public works including taking samples of materials. The definition also includes “information relating to a private body which can be accessed by a public authority under any law”.

### **Proactive disclosure**

The list of information to be proactively published by public authorities is very broad (16 items as given in s4 1(b)). In addition to the standard provisions commonly contained in access laws, public authorities must publish: the budget allocated to each agency, including plans, proposed expenditure and reports on disbursements; the manner of execution of subsidy programmes, including the amounts allocated and beneficiaries; recipients of concessions, permits, licenses; and relevant facts while formulating policies or announcing decisions.

### **Processing applications**

Public Information Officers (PIOs) have been appointed “in all administrative units/offices... as may be necessary to provide information to persons requesting it”. Assistant PIOs are also to be appointed at each sub-divisional or sub-district level, and these Assistants are tasked with receiving applications and appeals and passing them on to the relevant PIO/Appeals body. These provisions combined are designed to bring

access closer to people, by ensuring that applicants can submit requests in their local area, rather than having to rely on the post or travel to the administrative headquarters.

Most applications must be processed within thirty days, although the time limit is extended to 40 days where third party submissions are to be called for. These time limits are reduced to a mere 48 hours where the information sought “concerns the life and liberty of a person”. Any fees must be “reasonable” and no application fee shall be charged for persons who are below the poverty line. Where a public authority fails to comply with time limits under the Act, the information shall be provided to the applicant free of charge.

When processing an application a PIO must release the information requested unless it is covered by one of the exemptions contained in the law, which are intended to protect particularly sensitive information.

In Bihar the application fee is Rs. 10 and the photocopy charges are Rs. 2 per page for A4/A3 size papers as well as for printed publications. For bigger sized pages the actual cost will be charged from the applicants. The cost for seeking information in a floppy or CD is Rs. 50. There is no fee for the first hour of inspection after which the fee is Rs. 5 for every hour. The mode of payment of fees is either by cash, bank draft, pay order or non-judicial stamp.

### **Processing appeals**

The Act contains a two-step appeals process. First, if an applicant is aggrieved by the actions of a PIO, he/she can appeal to an Appellate Authority, which is defined as an “officer senior in rank to the PIO”. If the applicant is still unhappy after making a complaint to the Appellate Authority, he/she can either send a second appeal or a complaint to the Central/State Information Commissions. If the appellant is still unhappy with the outcome of his/her complaint, he/she can appeal to the High Court or the Supreme Court.

### **Penalties**

Every PIO (or officers from whom the PIO requested assistance) can be penalized Rs. 250 per day up to a maximum of Rs. 25,000 for not accepting an application; delaying information release without reasonable cause; denying information in bad faith; knowingly giving incomplete, incorrect, misleading information; destroying information that has been requested or obstructing furnishing of information in any manner. Disciplinary action under the relevant service rules may be initiated against officials for persistent violation of this Act.

### **Monitoring and Education**

The Act requires that each Central/State Information Commissioner produce an annual report on the implementation of the Act, which is to be presented to the Parliament/Vidhan Sabha respectively. In support of this, each Ministry or Department is required to collect and provide such information to the relevant Information Commission as is required to prepare the report. The Information Commission may also provide recommendations to any authority specifying the steps that, in its opinion, ought to be taken to promote compliance with the Act.

The Act also specifically requires that Governments must, to the extent of available financial and other resources, organize educational programmes for the public, in

particular for disadvantaged communities and encourage public authorities to do the same; produce a User's Guide on the Act for the public; promote timely and effective dissemination of accurate information by public authorities; and train PIOs and produce other relevant training materials.

A question-answer session on the law was done after a presentation on the salient features of the law.

1) Why can't organisations access information from the government by using the RTI Act?

The RTI Act is meant for individual citizens and not organisations as per s.3 which states that 'Subject to the provisions of this Act, all citizens shall have the right to information.'

2) Can we get old information from departments under this Act?

As per s2(f) of the Act all types of information including records, documents, memos, e-mails, opinions, advices, press releases, samples, models, contracts can be given unless records have been destroyed legally. Each department has record keeping rules and procedures and policies for weeding out old records and files. Thus, unless a record has been destroyed it can be given as per the law.

3) What can be done if public authorities do not proactively disclose information as per S.4 of the RTI Act?

In case public authorities do not proactively disclose information, the Information Commissions as well as the nodal agency responsible for implementing the RTI Act can be informed. The Information Commission has the power (S.19(8)(a)(vi)) to receive from a public authority an annual compliance report in relation to Sec.4. This reporting mechanism will technically make the public authority answerable to the Information Commission for all acts of commission and omission in relation to proactive disclosure.

4) What do we do if the PIO does not receive the RTI application?

In case of information related to central government applications can be sent to the Assistant Public Information Officers specially appointed for the purpose in 846 post offices throughout the country. Moreover, as per the RTI Act, every department must put up a board with the names of the PIOs, APIOs and the Appellate Authority in the department. If RTI applications are not received by the PIOs, then the application can be sent by registered post, speed post or by under certificate of posting. In all these cases the applicants will have proof of the fact that they had sent the application by post. Alternatively the applicant can send a complaint (under s.18) directly to the State Information Commission stating the fact that the application is not being received by the PIO.

5) Does each office have to have a PIO?

According to s.5 (1) of the Act, every public authority shall designate as many officers as PIOs in all administrative units or offices under it as may be necessary for providing information to persons requesting for information under this Act.

6) Who has been designated as the PIO in the Police Department in Bihar?

At the district level in Bihar, the Superintendent of Police (SP) is the designated PIO. Information regarding the different police stations within a district is available at the SP's office.

7) If we do not get an acknowledgement receipt of our application, what can we do?

Take a copy of the RTI application along with the original and get the PIO or any other officer designated to receive applications to sign on it and put the rubber stamp seal along with the date. This will be a proof of the fact that the RTI application has been submitted. Alternatively, the application could be sent by 'Under Certificate of Posting'.

The participants also shared some problems that they have been facing while applying for information using the law. This raised a lot of doubts and issues on various aspects of the implementation of the law.

Some of the difficulties faced by people in accessing information include:

- Lack of awareness and preparedness among officials about their roles and duties re RTI;
- Non-availability of PIOs and concerned officials;
- Attitudinal difficulties and non acceptance of applications;
- Non-availability of data base with government departments;
- Lack of adequate resources for proper implementation of RTI;
- Several instances of harassment and threat faced by the citizens;
- Several cases of overcharging of fees by the PIOs i.e. more than the prescribed amount.

## **Session 2: Analysing newspaper articles in the context of Right to Information**

In the afternoon session after the discussion on the RTI Act 2005, the participants were divided into small groups and each group was given a newspaper clipping, which they had to analyse to see how RTI Act could have been used to access information regarding the story highlighted in the newspaper.

For example, in one story school teachers were getting their salary without attending school. In this case RTI could be used to get copies of the payment register as well as to know the person who sanctions payment and also get copies of the attendance register of the school in order to verify the information. This exercise was found to be very useful and interesting as it enabled the participants to link RTI with development issues and understand its value as a tool to get information regarding issues and problems faced by people in their daily lives.

## **Day Two**

The second day's session began with a recapitulation of the previous days' sessions by two participants. Both participants gave detailed presentations on the first day's proceedings.

## **Session 3: Drafting Information Requests under the RTI Act and tips for improving quality of applications**

This session saw the participants working in groups and drafting applications for information requests. A sample application format was given to each group to refer to. At



the end of each group presentation tips for improving the application letter was suggested by the resource persons as given below.

#### **Points to be kept in mind while framing an application for information request**

- Accessing information as sought by the participants depends to a large extent on the way in which the application has been drafted. Half the effort in getting information is done if the application is written clearly and precisely;
- Every application under Section 6(1) of the RTI Act must be addressed to the PIO of the concerned department. It is not necessary to mention the name of the PIO as that person can get transferred to another department. In Bihar, nearly all departments have appointed PIOs, but in practice boards displaying their names and contact details have not been put up in most offices. In many cases the PIOs are not aware of the fact that they have been designated as public information officers to process RTI applications and give information to citizens. Therefore, in addition to addressing the RTI application to the PIO, applicants could also add 'c/o and the name of the head of the department' who will definitely receive the application. In addition, the applicant must also state that the information being asked is not exempted as given in S.8 of the Act. This statement is given in the form;
- All RTI applications must be written in the format as given in 'Form A' (see Annex 3) as per Bihar RTI Rules otherwise there are chances of the application being rejected;
- All applications must have proper contact details of the applicants;
- Avoid using abbreviations while writing an application. For example, SHGs must be written as "self-help groups";
- Before writing the application, the applicant must be clear about the purpose for which he or she is seeking information. The purpose however, must not be stated in the application letter;
- The information request must be as precise as possible and the time period for which information is being asked for must be clearly stated including the date, month and year. It is always more helpful to ask for information which is close to the current period, so that the information can be verified;
- Ask for information which can be verified. For example, when asking for details regarding the implementation of a particular government scheme, one can ask for a copy of the guidelines for implementation or the plan in order to cross-check whether it has been implemented accordingly ;
- Getting information from the public authority is not an end in itself. The citizens must be sure as to what they will do with the information received.

After the application exercise, Venkatesh gave inputs on the appeals and complaints mechanism as given in the Act and the rules of Bihar government. He explained the appeals form in details and explained that an appellant must keep copies of the RTI application and other documents received from the government when he/she either appeals or complaints to the higher authority if unsatisfied with the response from the PIO.

#### **Session 4 : Future Action Plan of the Participants**

In this session, the participants outlined their Action Plan over the next few months. The planning was done in a combined manner in two clusters as given below. Organisation specific plan of activities is mentioned in the section on evaluation of the workshop in this report.

### Action Plan: Gaya cluster

Activity	Time Period	Resource Agency (NGO)
<ul style="list-style-type: none"> <li>▪ 2 days training of staff on RTI</li> <li>▪ Organise awareness camps on RTI for SHG clusters</li> <li>▪ File 50 RTI applications</li> <li>▪ Facilitate filing of RTI applications by SHG members with banks and the block offices</li> </ul>	2 months  1 month 3 months	Lead: OSERD, Patna in partnership with AVS, PGSS, Prayas
<ul style="list-style-type: none"> <li>▪ Organise an orientation workshop on RTI</li> </ul>	1 week (15-22 May)	Lead: MBJK in partnership with RRMSS and Chandra Bhushan Singh
<ul style="list-style-type: none"> <li>▪ Organise awareness generation camps in collaboration with panchayat representatives</li> <li>▪ NGO staff to provide support to 50 people in filing RTI applications</li> </ul>	15 days  3 months	Lead: Jaiprabha Vikash Mandal in partnership with Gita Mahila Uthan Samiti
<ul style="list-style-type: none"> <li>▪ Weekly staff orientation on RTI</li> <li>▪ Organise 4 block level seminars on RTI</li> <li>▪ Organise awareness campaign on RTI through the network of PKS</li> </ul>	1 month	MBJK, Bihta Akash Kumar Singh
<ul style="list-style-type: none"> <li>▪ Organise RTI orientation workshops for staff of NGOs, SHG members and block/bank officials</li> </ul>	3 months	Lead: MBJK in partnership with Yatharth Bhaskar Mishra
<ul style="list-style-type: none"> <li>▪ Orientation of staff on RTI</li> <li>▪ File 1 RTI application</li> </ul>	1 month	Lead: PGVS, Patna

- Other than the activities mentioned above the NGOs along with the SHG members will try and collect copies of information disclosed proactively under S.4 of the RTI Act. If this information is not available then they will file complaints with the Bihar Information Commission;
- Organise a workshop with all PACS partners and invite the Chief Information Commissioner;
- Every month RTI applications will be filed for different departments.

### Action Plan: Nawada cluster

- Orientation of NGO staff on RTI;

- Organise awareness generation campaigns including *prabhat pheri padayatra*, nukkad natak, films, folk songs, wall writing, distribution of pamphlets, booklets;
- Organise debates and discussions at the Gram Panchayat level. These programmes would include eminent people of the community, elected panchayat representatives, youth, SHG members, priests, *maulvis*, local politicians etc;
- Discuss RTI in Aam Sabha and Gram Sabha meetings;
- Organise debate competitions in schools and colleges;
- Organise training workshops on RTI for selected grassroots workers;
- Set up information centres at the panchayat level;
- Organise a block level training workshops for government officials, PRI members, *anganwadi* workers, and teachers;
- Work with certain Gram Panchayats and Panchayat Samitis on proactive disclosure of information on 17 issues as given in s.4 1(b) of the RTI Act;
- File RTI applications with different departments and verify/cross-check the information received.

### **Workshop evaluation by the participants**

The participants evaluated the workshop by filling up an evaluation form which have been analysed and summarized as given below. The points given below are based on the evaluation done by 38 participants.

#### **Suggestions for improvement in the workshop:**

- There could have been more detailed discussion n the different forms made by Bihar government;
- Increase the duration of the workshop by 1-5 days;
- The workshop could have been made more participatory by using PRA techniques;
- More practical examples could have been used during the presentation on the RTI Act 2005- this would have helped in our understanding the Act better;
- Elected representatives of PRIs could have been invited to participate in the workshop;
- The lecture session could have been replaced with an interactive session;
- Presentations of more case studies on RTI including negative and positive ones;
- There should have been discussion on the dangers of using RTI and precautions that need to be taken;
- Government officials of different departments could have been invited as resource persons;
- The sessions on the first day could have been conducted in a more participatory manner;

#### **Feedback on the learning materials distributed and their usefulness:**

These materials are useful guidance notes for us in understanding and working on the issue of RTI;

- The learning materials would be useful for other colleagues and will help in understanding the RTI Act and related issues. They are very useful guidance notes for us;
- The materials on the RTI Act and the various RTI forms made by Bihar government are very useful and will guide us in future and can be used by others as well;

- All the materials and the User Guide were very useful. They can be easily understood by grassroots NGO workers and will help in the organisation's work;
- The materials will help us in spreading awareness about RTI;
- These can be used as training materials in our training programmes;
- The materials contain a lot of information on RTI which are very useful, especially the RTI application format as given in the rules made by Bihar government;
- The learning materials would be useful and help in drafting RTI applications to different departments;

**Sessions appreciated with reasons:**

- The session on drafting RTI applications in small groups was useful;
- All sessions were useful;
- The session on reading newspaper stories in the context of RTI was very useful as it helped us to understand the value of RTI in solving problems that are commonly faced by everyone;
- Presentation on case studies on the use of RTI;
- Session on RTI in the context of NREGA was appreciated;
- The session on presentation on the salient features of the RTI Act and the Bihar government fee rules was appreciated;
- Participatory training methodologies was liked;
- Question-answer sessions and the open group discussions was useful;
- Discussions on RTI and Panchayati Raj was liked;
- Appreciate the ways in which the resource persons trained us;

**Session which was not much appreciated with reasons:**

- Due to lack of time we could not get all the information regarding RTI as was expected;
- The session on RTI and NREGA was not comprehensive enough – the presentation could have based on facts and in an analytical manner;
- The session on presentation on RTI Act 2005 as it was in the lecture mode;

**Use of RTI in the organisation's work in future:**

Name of Organisation	Future Activities
Lok Shakti Shikshan Kendra, Araria	Orient block level official on RTI;
Vinoba Arogya Avam Lok Shikshan Kendra, Dist Nalanda	<p>Set up Information Resource Centres which will provide technical support to people in drafting RTI applications as well as help people to get justice after using RTI Act;</p> <p>Efforts would be made to spread awareness about RTI to all people in the organisation's field area through wall writing, group discussions, pamphlet distribution, rallies, awareness camps etc;</p> <p>Use RTI, understand the processes involved and then spread awareness about it to the people;</p>
Gram Nirman Mandal, Dist: Nawada	RTI would help in solving problems of people living in the organisation's field, especially the poor and the marginalized that have been facing problems in

	benefiting from government schemes and programmes;
Gramin Evam Nagar Vikas Parishad, Patna	Capacity building of community members regarding RTI;  Organise a campaign on the use of RTI by the poor in the context of Panchayati Raj Institutions. This campaign would be carried out with the network of CBOs;  Set up RTI help desks at the head office as well as in the regional offices;
Naugachia Jan Vikas Lok Karyakram, Bhagalpur	Organise training workshops for community members, specially members of self-help groups and the poor and marginalised;
Parivar Vikas, Jamui	Organise awareness generation programmes for the masses on RTI;
Shradha Niketan, Munger	Use RTI to curb corruption in government offices and monitor government functions;
Karma Consultants, Patna	Regularly provide support to partner CSOs on RTI;
Nav Bihar Samaj Kalyan Pratisthan Kendra, Nalanda	Awareness generation on RTI;
Bihar Sewa Sansthan, Nawada	Inform and make people in villages aware about RTI and the application process in obtaining government documents;
Mukti Niketan,	Awareness generation among the masses;  Make people understand the value of RTI as a development tool- motivate them to use RTI;  Provide technical support to people in drafting applications and appeals under RTI Act;
Mahila Sevak Samaj	Train and build capacities of members of self-help groups so that these women can in turn spread awareness about RTI in their villages;
Arpan Gramin Vikas Samiti, Patna	Organise training of trainers programmes for NGO workers so that they become trainers on RTI;
Bharatiya Gramin Vikas Evam Ayurveda Seva Sansthan	Organise meetings at the village level to spread awareness; Provide support to people to draft and file RTI applications;

Mahila Vikas Samiti	Orient members of self-help groups on RTI; Train a total of 160 youth as trainers (5 from each Gram Panchayat);
Pragati Gramin Vikas Samiti, Patna	File RTI application with the Revenue and Land Reforms Department, ( <i>Rajaswa evam Bhumi Sudhar</i> ) regarding the work that has been done by the department on complaints made by the homeless persons of 33 Vidhan Sabha constituencies;
Raja Ram Mohan Roy Samajik Sanstha, Ara	Spread awareness about this Act among the poor and the marginalized by organizing meetings, seminars etc;  Train SHG members on RTI;
Gita Mahila Uthan Samiti, Ara	Awareness generation on RTI;
Yatharth, Ara	Spread awareness about RTI;

**Rating of the workshop:**

<b>1 : Bad</b>	<b>2: Not so bad</b>	<b>3: Satisfactory</b>	<b>4: Good</b>	<b>5: Very Good</b>
1		3	11	20

## ANNEX 1

### LIST OF PARTICIPANTS

1) Sakaldeep Paswan Parivar Vikas Chandrasekhar Nagar P.O. Guguldih via Barhat Dist: Jamui  9334835756;9431234158	2) Alok Kumar Programme Director Pragati Gramin Vikas Samiti Near Anurag Hospital West Bailey Road Patna  9939003721
3) Roshan Kumar Coordinator Navjan Lok, Naugachia Dist: Bhagalpur  9304101163 <a href="mailto:roshan_hzb@rediffmail.com">roshan_hzb@rediffmail.com</a>	4) Rajesh Kumar Gay Prabha Gram Vikas Parishad Premchandpash, Gorakshani Dist: Sasaram  06184-221718
5) Ranjeet Pandey Parivar Vikas Chandrashekhar Nagar P.O. Guguldih, Block: Barhat Dist: Jamui  9431234158	6) Suniti Kumari Block Coordinator Patna Jila Gramin Vikas Samiti Prakhand: Hulasganj Dist: Jehanabad
7) Bir Bahadur Bist Project Coordinator Avidya Vimkti Sansthan Old Japanese Mandir Mastipur, Bodhgaya Dist: Gaya  0631-2200371 9939995750	8) Ram Babu Secretary Arpan Gramin Vikas Samiti Maner-801108 Patna  0612-3252607 9835256391 <a href="mailto:arpan_patna@yahoo.com">arpan_patna@yahoo.com</a> ; <a href="mailto:arpanbihar@rediffmail.com">arpanbihar@rediffmail.com</a>
9) Anita Gupta Secretary Bhojpur Mahila Kala Kendra Bazri Sah ka Mandir Azad Pul Par Dist: Ara  9830266612	10) Prakash Kumar CPSL Group Aminabad Patna  9835540092 <a href="mailto:prakash621@rediffmail.com">prakash621@rediffmail.com</a>
11) Umesh Manjhi	12) Alpan Kumar Sinha

<p>Samanvayak Deshkal Society c/o Baro Singh First floor, New Area, Nutan Nagar Dist: Gaya</p> <p>0631-2220539</p>	<p>Karma Consultants Radha Bhawan Opp. Shivlok Apartments Road No.3, New Patliputra Colony Patna</p> <p>9430963814 <a href="mailto:alpan@gmail.com">alpan@gmail.com</a>; <a href="mailto:ro.karma@gmail.com">ro.karma@gmail.com</a></p>
<p>13) Mantosh Secretary Manav Vikas Kendra Village Budhwal P.O. Jagdishpur Dist: Bhojpur</p> <p>0612-3252940 9931456803</p>	<p>14) Raju Kumar Coordinator Manav Vikas Kendra Village Budhwal P.O. Jagdishpur Dist: Bhojpur</p> <p>0612-3252940 9931456803</p>
<p>15) Sachidanand Singh Secretary Lok Swaraj Sangh AT &amp; PO Parwalpur Nalanda</p> <p>9430957221</p>	<p>16) Wali Ahmad Assistant Block Coordinator Mahila Sewak Samaj Jamalpur, Sheikpura Bihar Sharif</p> <p>9835015116</p>
<p>17) Rani Sinha Bihar Sewa Sansthan Nawada – 805110</p>	<p>18) Vishwa Ranjan SBCA</p> <p>9835222668</p>
<p>19) Dr. Hare Ram Pandey Institute of Homeo Care and Research Pakan Mission Road Ara Dist: Bhojpur</p> <p>9430622364</p>	<p>20) Dr. Anil Kumar Singh Bhartiya Gramin Vikas Evam Ayurved Sewa Sansthan East Lohanipur, Railway Road Kadamakhan Patna -8</p> <p>9431457942</p>



<p>21) Prem Kumar Karma Consultants Radha Bhavan, Road – 3C Near Shivlok Apartments New Patliputra Colony Patna</p> <p>9835452877 bihar.patna@gmail.com</p>	<p>22) Ashok Kumar Singh Convenor Bihar Rajya Suchna Adhikar Prahari Vill. &amp; Post: Jhanjharpur Dist: Madhubani - 847404</p> <p>9835077425</p>
<p>23) Rajesh Kumar Adhyaksha Jan Vikas Basbaria, Betia Dist: Paschim Champaran</p> <p>9334026634</p>	<p>24) Arvind Kumar BALSK Islampur AT&amp;PO Baday Nalanda – 801303</p> <p>0611-257003</p>
<p>25) Jitendra Kumar Vinoba Arogya Evam Lok Shikshan Kendra Jai Krishan Nagar, Islampur Dist: Nalanda</p> <p>06111-257003</p>	<p>26) Santosh Kumar Pariyojana Samanvayak Bhojpur Mahila Kala Kendra Bajari Sat ka mandir, Abar Pul Par Ara Dist: Bhojpur</p> <p><a href="mailto:bhojpurmahila@yahoo.co.in">bhojpurmahila@yahoo.co.in</a></p>
<p>27) Binod Sharma Vinoba Arogya Evam Lok Shikshan Kendra Vill: Jaikrishna Nagar, Post: Islampur Dist: Nalanda</p> <p>06111-257003</p>	<p>28) Bhaskar Mishra Secretary Yatharth West of the Circuit House Pakri, Ara - 802301</p> <p>9431452579 <a href="mailto:yatharth_ara11@sify.com">yatharth_ara11@sify.com</a>; <a href="mailto:bhaskar_ara11@sify.com">bhaskar_ara11@sify.com</a></p>
<p>29) Madan Mohan Thakur Executive Director Naugachia Jan Vikas Lok Karyakram G.B. College Road Post: Naugachia – 853204 Dist: Bhagalpur</p> <p>06421-223214 9934426113 <a href="mailto:mmthakurnjlk@yahoo.co.in">mmthakurnjlk@yahoo.co.in</a></p>	<p>30) Pravin Kumar Block Coordinator Bharatiya Gramin Vikas Evam Ayurveda Seva Sansthan Purvi Lohanipur, Railway Hunder Road Kadam Kuwa Patna</p>

<p>31) Rashmi Sinha Karma Consultants Radha Bhavan, Road – 3C Near Shivlok Apartments New Patliputra Colony Patna</p>	<p>32) Shailendra Kumar Abhiyan Kako Main Road, Post: Kako Dist: Jehanabad</p> <p>9931444915</p>
<p>33) Umesh Kumar Mahasachiv Patna Jila Gramin Vikas Samiti Hulasganj Dist: Jehanabad</p>	<p>34) Mohammad Aslam Coordinator Gita Mahila Utthan Samiti Rajendra Nagar, Ara Dist: Bhojpur</p> <p>9334939610</p>
<p>35) Bamshankar Sau Ramvati Prashikshan Kendra Vill. &amp; Post: Khaira Dist: Jamui - 811317</p> <p>9431446616</p>	<p>36) Emmanuel Kujur Project Coordinator PACS Gram Nirman Mandal Sarvodaya Ashram, Sakhodeora Dist: Nawada</p> <p>9931548392 emman_kujur@rediffmail.com</p>
<p>37) Sanjay Sinha Coordinator PACS Gramin Evam Nagar Vikas Parishad (GENVP) 302, Jag Kailash Palace, Road No. 3 New Patliputra Colony Patna – 800013</p> <p>0612-2270089 9934291712 genvp@sify.com</p>	<p>38) Rajesh Kumar Sharma Accountant Arpan Gramin Vikas Samiti Maner-801108 Patna</p> <p>0612-3252607</p>
<p>39) Jyoti Verma Programme Coordinator OSERD 104, A.P. Colony Gaya – 1</p> <p>0631-2220597</p>	<p>40) Dr. Rakesh Ranjan Sandhan Maijee Ka Bagicha, Mai Ghat, Katni Madhya Pradesh +91 0 9826326708 rakeshranjan_rti@yahoo.co.in</p>

<p>41) Baleshwar Prasad Director Prakhand Gram Swarajya Sabha Near Power House Vill. &amp; PO Fatehpur Dist: Gaya – 834232</p> <p>9934264501</p>	<p>42) Kamal Kishore Singh Director Mahila Vikas Samiti Old Bus Stand, Khajauli Dist: Nawada – 805125</p> <p>06336-233307 9934482642</p>
<p>43) Chandra Bhushan Singh Secretary Raja Ram Mohan Roy Samajik Sansthan Dist: Bhojpur (Ara) – 802163</p> <p>06182-288360 9905099322</p>	<p>44) Manoj Kumar Singh Project Coordinator Vinoba Arogya avam Lok Shikshan Kendra Vill: Jaikrishna Nagar, Post: Islampur Dist: Nalanda</p>
<p>45) Hari Om Community Mobiliser (Samanvayak) Samanvaytithi Prabhavati, Vill: Pandbigha, Post: Raniganj Dist: Gaya - 824210</p>	<p>46) Aman Kumar Sanyojak Lok Shakti Shikshan Kendra Dist: Araria</p> <p>Tel. No; 0631-2463666</p>
<p>47) Arun Prasad Project Officer Sarvodaya Ashram Vill: Balwapur, Post: Asnacha Dist: Nalanda</p>	<p>48) P. Narayan Singh Secretary Shradha Niketan Vill. &amp; Post: Navgahi, via Tarapur Dist: Munger</p>
<p>49) Subhash Chandra Bose Nav Bihar Samaj Kalyan Pratisthan Kendra Pawapuri More, Post: Pawapuri Dist: Nalanda</p>	<p>50) Chandra Bhushan Singh Programme Coordinator Mukti Niketan Kateria Dist: Banka – 813106</p> <p>Mobile: 9430426037</p>

## **ANNEX 2**

### **Capacity Building Workshop on Right to Information Act 2005**

**Bihar**

**3-4 May 2007**

**Organised by: Commonwealth Human Rights Initiative (CHRI), New Delhi and  
PACS Programme, Bihar**

**Venue: State Health and Family Welfare Society, Sheikpura, Patna**

### **AGENDA**

#### **Day 1: Thursday, 3 May 2007**

**9:00 – 9:30 am**

**Registration**

<b>9:30 – 10:00 am</b>	<ul style="list-style-type: none"><li>▪ Welcome</li><li>▪ Introduction of the event and its objectives</li><li>▪ Introduction of the Participants and expectations from the workshop</li></ul>	CHRI
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**11:00 – 11:15**

**Tea**

**Session: The Right to Information Act 2005**

<b>11:15 – 12:00 pm</b>	Presentations on: <ul style="list-style-type: none"><li>▪ Importance of using the RTI law and the history of the RTI movement in India</li><li>▪ Presentation on the Right to Information Act, 2005</li><li>▪ Open discussion</li></ul>	Venkatesh Nayak, Rakesh Ranjan and Sohini Paul, CHRI
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**1:00 – 2:00 pm**

**Lunch**

**Session: RTI Act 2005 and case studies**

<b>2:00 – 3:00 pm</b>	<ul style="list-style-type: none"><li>▪ Continuation on the presentation on the RTI Act</li></ul>	Sohini Paul and Rakesh Ranjan
<b>3:00 – 3:30 pm</b>	<ul style="list-style-type: none"><li>▪ RTI fee rules in Bihar</li></ul>	Ashok Kumar Singh

<b>3:30 – 5:30 pm</b>	<ul style="list-style-type: none"> <li>▪ Analyzing newspaper stories in the context of RTI</li> </ul>	Venkatesh Nayak
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Participants were given tasks to work on overnight and present on the second day

**Day 2: Friday, 4 May 2007**

**Session: Drafting RTI applications**

<b>9:30 – 9:45 am</b>	<ul style="list-style-type: none"> <li>▪ Recapitulation by the participants</li> </ul>	
<b>9:45 – 10:00 am</b>	<ul style="list-style-type: none"> <li>▪ Tips on drafting RTI applications</li> </ul>	Venkatesh Nayak
<b>10:00 – 11:00 am</b>	<ul style="list-style-type: none"> <li>▪ Participants work in groups to draft RTI applications</li> </ul>	

**11:00 – 11:15 am      Tea Break**

<b>11:15 – 1:00 pm</b>	<ul style="list-style-type: none"> <li>▪ Presentation on draft applications and feedback</li> </ul>	Moderated by CHRI and Bihar Rajya Suchna Adhikar Prahari
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**1:00 – 2:00 pm      Lunch**

<b>2:00 – 3:00 pm</b>	<ul style="list-style-type: none"> <li>▪ RTI and NREGA</li> </ul>	Ashok Kumar Singh and Rakesh Ranjan
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**3:00 – 3:15 pm      Tea Break**

**Session: Developing a future action plan and strategy**

<b>3:00 – 5:00 pm</b>	<ul style="list-style-type: none"> <li>▪ Formulation of future plan and strategy (in 2 clusters)</li> <li>▪ Workshop Evaluation</li> <li>▪ Vote of Thanks</li> </ul>	CHRI
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**ANNEX 3**

**FORM A**

[See Rule 3(1)]

Application form for obtaining information

I.D. No.

(for office use)

To,  
The Public Information Officer,  
(Department Office)

1. Name of the applicant:
2. Full Address:
3. Particulars of information required (in brief):
4. I, hereby, state that the information sought is not covered under the categories which are exempted from disclosure of information under section 8 or under section 9 of the Right to Information Act, 2005 and to the best of my knowledge; it is pertaining to your Department/Office.
5. \*(1) I have paid the fees Rs..... in word rupees..... On dt.....vide receipt no.....in the Department/Office of.....  
\* (2) I enclose herewith Demand Draft/Pay Order No.....Dt..... drawn in favour of.....Officer, issued by .....Bank towards the fees payable.  
\* (3) Non-judicial stamp of Rs.....is affixed on this application.  
\*(4) I belong to B.P.L. family, Xerox copy of my card required/Certificate is enclosed herewith.

Place:

Date:

Signature of the applicant

E-mail address, if any:

Telephone No. (office):

(Residence):

*N.B. Person belonging to B.P.L. family need not pay any type of fees.*

*\*Strike out whichever is not applicable.*

## ANNEX 4

### **Case Study 1: <sup>1</sup>For Ration Cards - Everyday is a Saturday**

Kalol taluka in Panchmahals district belongs to one of the less developed parts of vibrant Gujarat. Panchmahals is home to fairly large sized communities of adivasis who have not benefited from the economic development that has made the Patels and the Shahs well known across American and European business houses. Additionally, several hundred of families belonging to the minority community live below the poverty line (BPL). The public distribution system set up by the government is an indispensable means of securing food grains at subsidised prices for these families. However securing a ration card is a herculean task for them unless they are willing to bribe officials or middlemen or both.

The Deputy Mamlatdar at the taluka level is responsible for issuing ration cards of all kinds in rural areas. Printed application forms are available free of charge which people can use to apply for a new ration card, get a duplicate made, have the names of new family members added or that of the deceased deleted or get a card divided if a joint family wishes to have separate cards for its members. One would expect that any citizen would be able to walk into the Deputy Mamlatdar's office and submit an application any time of the day provided he/she has put together copies of all necessary supporting documents.

In Kalol, however, a large computer printed sign pasted prominently on the walls of the Mamlatdar's office warned people to visit the office only on Saturdays for ration card related work. State government offices in Gujarat work on the first and third Saturday every month. The other two Saturdays are holidays. In effect this meant that applicants from more than 60 villages of Kalol taluka had only a window of two days every month to put in their applications for ration cards every month. Even here those who cobbled up money to bribe touts got priority treatment. Those who could not simply had to wait their turn to arrive and if it did not come before closing time, they were simply chased away. They would come back the next working Saturday and go through the process of waiting for a darshan of the Dy. Mamlatdar all over again.

Fed up by this system, Aslambhai, a resident of Kalol decided to find out if the two Saturday limit had any legal basis. He had recently learnt about the Right to Information Act and knew that as a citizen he could ask almost any information from government offices and get it within a deadline for a small fee. Aslambhai drafted an information request asking for the Government Resolution (GR) that said that applications for ration card related matters would be received only on Saturdays. Besides he also requested for all GRs that listed the procedural requirements for ration card related work.

The Mamlatdar is the designated Public Information Officer at the taluka level in Gujarat. When Aslambhai visited his office to submit his RTI application in person, the Mamlatdar refused to even read it let alone accept it. He told Aslambhai that there were no orders for giving information to people at the taluka level. People would get whatever information they wanted from the district level. Aslambhai knew that the Mamlatdar was

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<sup>1</sup> Case study has been written by Venkatesh Nayak

lying. He also knew that he could send the application by post. He sent his application to the Mamlatdar by Registered Post with Acknowledgement Due (RPAD). Needless to say the application was delivered to the Mamlatdar's office.

Fifteen days later Aslambhai was asked to visit the Dy. Mamlatdar to discuss his information request. Aslambhai refused to meet him as he saw no reason for doing the same. The Dy. Mamlatdar then pressurised Aslambhai's father to advise his son to withdraw that part of the application which inquired about the Saturday limit. He was assured access to all other GRs. He was told that there was no GR requiring them to do ration card related work only on Saturdays. It was only an informal arrangement they had adopted for administrative convenience. If this matter reached his superiors the Dy. Mamlatdar was afraid he might lose his job. Aslambhai stood his ground and refused to concede. He advised the Dy. Mamlatdar to issue a rejection letter if he did not want to give the information as he could then go on appeal or send a complaint to the State Information Commission.

Ultimately, the Dy. Mamlatdar was forced to issue a reply on his letterhead clarifying the matter. Aslambhai was told that there was no GR as such and that Saturdays were fixed for summoning applicants to collect their ration cards. This was done so that applicants would be free from work on Saturdays and would not have to forego a day's wages by visiting the office on a working day. Aslambhai was assured that henceforth they would receive applications for ration card related work on all working days at all working hours.

Aslambhai and his friends say that the working of the Dy. Mamlatdar's office has really improved since this little adventure of theirs. People are able to visit the office whenever they wish and submit their applications any time during working hours. Aslambhai believes, the RTI Act has finally changed the power equations for the underprivileged people. They have in their hands a tool for making government offices work according to the law.

### **Case Study 2:<sup>2</sup>RTI unearths corruption in the procurement of medical supplies in a PSU**

Rumours of corruption in South Eastern Coal Fields Ltd. (SECL) are neither rare nor recent. Until the coming of the RTI Act people had no way of verifying these allegations. This public sector undertaking is the single largest producer of coal amongst the eight subsidiaries of Coal India Ltd. In 2005-06 SECL extracted 83.02 million tones of coal from its mines situated in the districts of Shahdol, Umaria and Annuppur in Madhya Pradesh and Bilaspur, Korba, Korla, Raigarh and Surguja in Chhattisgarh.

Sunil Chaurasia and Narendra Devangan of Anuppur, Madhya Pradesh and Satish Gupta of Manendragarh of Korla district of Chhattisgarh filed RTI applications with the PIO of SECL situated at its head office in Bilaspur during the months of February- April 2006. They sought the following information:

1. Names of all the medicines procured by SECL for distribution through its primary health centres and its OPD clinics in the Hasdeo coal mines area during the

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<sup>2</sup> Case study has been narrated by Dr. Rakesh Ranjan, Convenor, Madhya Pradesh Suchna Adhikar Abhiyan and has been written by Venkatesh Nayak. Sunil, Narendra, Satish and their team of volunteers are active members of Madhya Pradesh Suchna Adhikar Abhiyan. CHRI works with the Abhiyan to spread awareness about RTI in Madhya Pradesh.



- financial year 2005-06. (They cater exclusively to the employees of SECL and their families)
2. Quantity of medicines procured during the same period.
  3. Supply price of each item.
  4. Copies of all purchase orders issued by SECL for these medicines.
  5. Names and contact details of suppliers who bagged the purchase order.

All three applicants received the requested information within the 30 day deadline stipulated in the RTI Act. The records showed that SECL had issued two purchase orders worth a total of Rs. 4,47,422/- to a certain R S Trading Company on 02 November 2005 for supplying ayurvedic medicines such as rajwadi chyawanprash, basant kusumakar ras, svarna bhasm, massage oil, divya hair oil, sona-chandi chyawanprash, shilajit capsule, paurush jeevan capsule, chintagani ras, makardhani vari and many other ayurvedic items :

(P.O.#SECL/HSDArea/MMW/SO/05/06/Ayurvedicmedicines/479 and P.O.#SECL/HSDArea/MMW/SO/05/06/Ayurvedicmedicines/480).

Two more purchasing orders were issued on the same day to two more companies namely, Messrs. Sampath Kumar Lakshminarayan of Manendragarh in Chhattisgarh (P.O.#SECL/HSDArea/MMW/SO/05/06/Ayurvedic medicines/482 ) and Soni Medical Store of Dhanpuri in Madhya Pradesh ( P.O. SECL/HSD/MMW/SO/O5/06/Ayurvedic medicines/481) for supply of ayurvedic medicines worth – Rs. 99,786.90 and Rs. 1,20,387.50 respectively. Apart from the medicines mentioned above these companies were asked to supply jhandu soap herbal, trishul tablets, kamoddeepak churna, sundari kalp forte, rose water and the commonly used disinfectants like savlon, dettol and phenyle. All P.O.s had been signed by the Chief General Manager.

Armed with these documents our RTI trio worked for several weeks crosschecking the data along with a team of about 25 committed volunteers. The P.O.s issued to R S Trading Company mentioned its contact details as a shop situated behind State Bank of India at Manendragarh , Chhattisgarh. Satish scoured the entire area but did not find any trace of the supplier. Soni Medical Store turned out to be a small retailing store operating on a floor space of 10ftx10ft and the salesperson had no clue about the supply of such a huge order. Fictitious companies were shown as suppliers of luxury items in the name of procurement of medical supplies.

Next, the volunteers cross checked the rates at which the medicines had been supplied only to find that the retail outlets sold the same items a lot cheaper. Given below is a comparative table of the retail rates and the rate at which the medicines were supplied to SECL:-

Item	Size	Retail rate in Rupees	SECL Supply Rate in Rupees
Amrutanjan balm	10gm	15/-	20/-
Kayam churna	100gm	33/-	46/-
Paurush Jeevan capsule	Strip of 10	20/-	28/-
Sesha hair oil	100ml	88/-	185/-
Sona chandi chyawanprash	1kg	185/-	280/-

-do-	1/2kg	105/-	155/-
Rose water	30ml	10/-	15/-
Banphool oil	200ml	68/-	96/-
Noorani oil	100ml	30/-	44/-
Jaitul oil	50ml	30/-	35/-
Rajwadi chyawanprash	1kg	340/-	440/-
-do-	1/2kg	187/-	250/-
Aglari	100ml	33/-	47/-
Savlon	100ml	23/-	25/-
Dettol	100ml	17/-	21/-
Phenyle	500ml	33/-	56/-

Only one item, namely, Trishul tablets were supplied at a price lower slightly lower than the retail price ( Rs. 8/- and Rs. 10/- respectively). During 2005-06, SECL had allocated Rs. 99,78,690/- for its medical budget. The total value of the four purchase orders released under the RTI Act was Rs. 6.67 lakhs. The extent of money lost due to corruption remains to be calculated.

Sunil published the details of these findings in the Koylanchal Times a current affairs magazine popular in the coal mining belt of MP and Chhattisgarh that he published every month. In August, officials of the Vigilance unit of SECL contacted him to hear learn first hand, the story of the findings of the RTI team. Nothing much was heard for a few months afterwards. Upon making informal enquiries with SECL about the progress of the case Sunil found out that the Vigilance unit had instituted a formal investigation. The Chief Finance Manager and the Materials Manager seem to have been chargesheeted in the case and inquiry proceedings are said to be going on.

Sunil, Narendra, Satish and their team of volunteers are elated at these developments. Their painstaking efforts have awakened potential whistleblowers within SECL. An employee of the company in the Hasdev mines area, who spoke with the activists on condition of anonymity, told them that they had merely succeeded in scratching the surface. Corruption in the procurement of medical supplies is deeper and murkier than what has been unearthed. It has been alleged that several batches of medicines supplied to the OPDs and PHCs are well past the expiry date or will become useless in less than six months. The activists are now planning to request spot inspection of the stock of medicines to verify the facts themselves. They are also planning to apply to the Vigilance unit of SECL under the RTI Act seeking a progress report of action taken on the basis of their findings.

## ANNEX 4

### **Case Study 1: <sup>3</sup>For Ration Cards - Everyday is a Saturday**

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Aslambhai and his friends say that the working of the Dy. Mamlatdar's office has really improved since this little adventure of theirs. People are able to visit the office whenever they wish and submit their applications any time during working hours. Aslambhai believes, the RTI Act has finally changed the power equations for the underprivileged people. They have in their hands a tool for making government offices work according to the law.

### **Case Study 2:<sup>4</sup>RTI unearths corruption in the procurement of medical supplies in a PSU**

Rumours of corruption in South Eastern Coal Fields Ltd. (SECL) are neither rare nor recent. Until the coming of the RTI Act people had no way of verifying these allegations. This public sector undertaking is the single largest producer of coal amongst the eight subsidiaries of Coal India Ltd. In 2005-06 SECL extracted 83.02 million tones of coal from its mines situated in the districts of Shahdol, Umaria and Annuppur in Madhya Pradesh and Bilaspur, Korba, Korla, Raigarh and Surguja in Chhattisgarh.

Sunil Chaurasia and Narendra Devangan of Anuppur, Madhya Pradesh and Satish Gupta of Manendragarh of Korla district of Chhattisgarh filed RTI applications with the PIO of SECL situated at its head office in Bilaspur during the months of February- April 2006. They sought the following information:

6. Names of all the medicines procured by SECL for distribution through its primary health centres and its OPD clinics in the Hasdeo coal mines area during the

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<sup>4</sup> Case study has been narrated by Dr. Rakesh Ranjan, Convenor, Madhya Pradesh Suchna Adhikar Abhiyan and has been written by Venkatesh Nayak. Sunil, Narendra, Satish and their team of volunteers are active members of Madhya Pradesh Suchna Adhikar Abhiyan. CHRI works with the Abhiyan to spread awareness about RTI in Madhya Pradesh.

- financial year 2005-06. (They cater exclusively to the employees of SECL and their families)
7. Quantity of medicines procured during the same period.
  8. Supply price of each item.
  9. Copies of all purchase orders issued by SECL for these medicines.
  10. Names and contact details of suppliers who bagged the purchase order.

All three applicants received the requested information within the 30 day deadline stipulated in the RTI Act. The records showed that SECL had issued two purchase orders worth a total of Rs. 4,47,422/- to a certain R S Trading Company on 02 November 2005 for supplying ayurvedic medicines such as rajwadi chyawanprash, basant kusumakar ras, svarna bhasm, massage oil, divya hair oil, sona-chandi chyawanprash, shilajit capsule, paurush jeevan capsule, chintagani ras, makardhani vari and many other ayurvedic items :

(P.O.#SECL/HSDArea/MMW/SO/05/06/Ayurvedicmedicines/479 and P.O.#SECL/HSDArea/MMW/SO/05/06/Ayurvedicmedicines/480).

Two more purchasing orders were issued on the same day to two more companies namely, Messrs. Sampath Kumar Lakshminarayan of Manendragarh in Chhattisgarh (P.O.#SECL/HSDArea/MMW/SO/05/06/Ayurvedic medicines/482 ) and Soni Medical Store of Dhanpuri in Madhya Pradesh ( P.O. SECL/HSD/MMW/SO/O5/06/Ayurvedic medicines/481) for supply of ayurvedic medicines worth – Rs. 99,786.90 and Rs. 1,20,387.50 respectively. Apart from the medicines mentioned above these companies were asked to supply jhandu soap herbal, trishul tablets, kamoddeepak churna, sundari kalp forte, rose water and the commonly used disinfectants like savlon, dettol and phenyle. All P.O.s had been signed by the Chief General Manager.

Armed with these documents our RTI trio worked for several weeks crosschecking the data along with a team of about 25 committed volunteers. The P.O.s issued to R S Trading Company mentioned its contact details as a shop situated behind State Bank of India at Manendragarh , Chhattisgarh. Satish scoured the entire area but did not find any trace of the supplier. Soni Medical Store turned out to be a small retailing store operating on a floor space of 10ftx10ft and the salesperson had no clue about the supply of such a huge order. Fictitious companies were shown as suppliers of luxury items in the name of procurement of medical supplies.

Next, the volunteers cross checked the rates at which the medicines had been supplied only to find that the retail outlets sold the same items a lot cheaper. Given below is a comparative table of the retail rates and the rate at which the medicines were supplied to SECL:-

Item	Size	Retail rate in Rupees	SECL Supply Rate in Rupees
Amrutanjan balm	10gm	15/-	20/-
Kayam churna	100gm	33/-	46/-
Paurush Jeevan capsule	Strip of 10	20/-	28/-
Sesha hair oil	100ml	88/-	185/-
Sona chandi chyawanprash	1kg	185/-	280/-

-do-	1/2kg	105/-	155/-
Rose water	30ml	10/-	15/-
Banphool oil	200ml	68/-	96/-
Noorani oil	100ml	30/-	44/-
Jaitul oil	50ml	30/-	35/-
Rajwadi chyawanprash	1kg	340/-	440/-
-do-	1/2kg	187/-	250/-
Aglari	100ml	33/-	47/-
Savlon	100ml	23/-	25/-
Dettol	100ml	17/-	21/-
Phenyle	500ml	33/-	56/-

Only one item, namely, Trishul tablets were supplied at a price lower slightly lower than the retail price ( Rs. 8/- and Rs. 10/- respectively). During 2005-06, SECL had allocated Rs. 99,78,690/- for its medical budget. The total value of the four purchase orders released under the RTI Act was Rs. 6.67 lakhs. The extent of money lost due to corruption remains to be calculated.

Sunil published the details of these findings in the Koylanchal Times a current affairs magazine popular in the coal mining belt of MP and Chhattisgarh that he published every month. In August, officials of the Vigilance unit of SECL contacted him to hear learn first hand, the story of the findings of the RTI team. Nothing much was heard for a few months afterwards. Upon making informal enquiries with SECL about the progress of the case Sunil found out that the Vigilance unit had instituted a formal investigation. The Chief Finance Manager and the Materials Manager seem to have been chargesheeted in the case and inquiry proceedings are said to be going on.

Sunil, Narendra, Satish and their team of volunteers are elated at these developments. Their painstaking efforts have awakened potential whistleblowers within SECL. An employee of the company in the Hasdev mines area, who spoke with the activists on condition of anonymity, told them that they had merely succeeded in scratching the surface. Corruption in the procurement of medical supplies is deeper and murkier than what has been unearthed. It has been alleged that several batches of medicines supplied to the OPDs and PHCs are well past the expiry date or will become useless in less than six months. The activists are now planning to request spot inspection of the stock of medicines to verify the facts themselves. They are also planning to apply to the Vigilance unit of SECL under the RTI Act seeking a progress report of action taken on the basis of their findings.