

State Level Workshop on “Right to Information & Electoral Reforms” For Panchayatiraj Representatives, Media Persons, NGO Representatives, Lawyers

Organized by the Commonwealth Human Rights Initiative (CHRI), New Delhi, and the People’s Cultural Center (PECUC), Bhubaneswar

**21st, 22nd and 23rd August 2003
Bhubaneswar (Orissa)**

Background

The Workshop was organized jointly by the Commonwealth Human Rights Initiative (CHRI), New Delhi, and the People’s Cultural Center (PECUC), Bhubaneswar, with a view to mobilizing public opinion on the issue of the right to information, and the need for electoral reforms, initiating debate on the provisions of existing legislations on access to information and on the framing of an Act on the Right to Information in Orissa, and thereby organizing the various campaigns on these issues into a cohesive movement.

The Workshop was conducted over three days, with the discussions on each day centering on the involvement of different groups of participants- Panchayati Raj Institution representatives on the first day, media persons, lawyers and social activists on the second, and NGO functionaries on the third.

Day 1: Panchayati Raj Institution Representatives

1st Session

The focus on the first day was on the participation of representatives and functionaries of Panchayati Raj Institutions (PRIs). The first session began with a Welcome address by Mr. Ranjan Mohanty, Secretary, PECUC, wherein he commended the interest shown by PRI representatives in the Workshop, before Sri Livinus Kindo, IAS, Chief Electoral Officer & Ex-Officio Principal Secretary to the Government, Home, formally inaugurated it. In his inaugural address, Mr. Kindo highlighted existing problems in the election process- low polling rates, violence, high expenditure, lack of information about candidates and their background and illiteracy among voters, among others- and suggested that campaigns for increasing awareness in democratic forms and processes- in particular, on the Supreme Court’s order on the release of the personal background of candidates- be initiated. He also argued that PRIs need to assist in this endeavour, by informing people of corrections in the voters’ list and providing for Photo Identity Cards in all areas.

Following this, Mr. Bibhu Mohapatra, from CHRI, provided a brief introduction to CHRI and its work, and reiterated the objectives of the Workshop. He emphasized the importance of the Right to Information, particularly for the election process, and spoke in favour of citizens’ participation in the conduct of elections. These issues were elaborated

upon by Mr. Jagadanada, Member Secretary, CYSD, Bhubaneswar, who argued that the divide between the Government and the people was increasing, and that, in the absence of a Right to Information Act in Orissa, its Government was not accountable to the people. He suggested that PRIs maintain transparency in their work, and provide information to people through Gram Sabhas, and that the Government undertake capacity-building and training programmes for PRI representatives.

2nd Session

The second session opened with a presentation on the need for constitutional provisions on the right to information by Ms. Swasti Rana, of CHRI. She identified the right to information as being implied in the right to freedom of speech and expression, as well as the right to life and liberty, both of which the Indian Constitution explicitly guarantees. She also critiqued the existing Central legislation on the Freedom of Information, suggesting that it should extend to private bodies as well as governmental ones, and that it should provide for speedier delivery of information than it does at present.

3rd Session

Professor Radha Mohan Mallick, Resource Person from Naba Krishna Choudhury Center for Development Studies presented a study report on the functioning of PRIs. Some of the major findings of the report were that: a) almost all the elected Panchayat representatives were affiliated to political parties, b) while most respondents knew the provisions of the 73rd Constitution Amendment Act, the majority did not know about the Orissa Panchayat (Amendment) Act of 1997, c) training in capacity building for PRI representatives, especially women, was necessary, d) there was only a low level of participation by women in Gram Sabha, and ad hoc participation of men, e) since issues were not discussed in the Gram Sabha, confusion existed at the GP and Block levels, and f) there was a lack of political will at all levels, for development and good governance.

The report recommended capacity building of different sections of society, information on the functioning of PRIs and skilled planning, decision-making and management of human and natural resources.

4th Session

In the fourth session, Mr. Abdul Kalam Azad, DISHA and Katrina Munda of Kokerama village in Sundergarh District presented a case study on a social audit, which had resulted in findings of forgery, misappropriation of money and corruption. It was suggested that Sarpanches, Ward Members, Samiti Members and Zilla Parishad Members be made aware of the Right to Information, and that there be greater coordination of information, at all levels, between PRI representatives, Media and NGOs.

In conclusion, some of the chief points that were made on the first day were that: a) State level meetings of PRIs are needed to put pressure on the Government, for the introduction of an Act on the Right to Information, b) campaigning in this direction requires a combined effort by PRI representatives, NGOs, the media and other interested

civil society groups, and c) workshops for PRI representatives will be organized at Jaipur and Konark, and thereafter by these representatives in their respective areas.

Day 2: Media Representatives and Lawyers

1st Session

The second day of the workshop was meant mainly for media persons. Mr. Mrinal Ojha of CHRI showed a film on Right to Information, based on the work of MKSS in Rajasthan, and analyzed the features and weaknesses of the Central Act. A call for greater pressure to be applied on the Government by the media, to bring the Act into force, was made by Mr. Kedar Mohanty.

2nd Session

The media persons gave their feedback; some of the points that emerged out of the discussion were that a) a media cell in each district of Orissa needs to be created, and media persons trained on the Right to Information Act, b) alliance building at the District level between media persons, legal practitioners, NGOs and Govt. officials is necessary, and c) the Orissa Act should be translated into the local language for wider reach.

A documentary film produced by PECUC TV was then released, and Mr. Mohanty announced the beginning of Jana Adhikar Abhijan in Orissa.

3rd Session

Lawyers from various parts of the State and PECUC staff attended this session. Mr. Mohapatra stressed on the formation of a Lawyers Human Rights Network to provide support to journalists and other people involved in the movement. Further, he called for the formation of Lawyers' Forum in each district and in the Orissa High Court, which would tie up with media persons and popularize issues such as electoral reform and the Right to Information. At the end of this session, it was decided that a Lawyers' Forum, involved with human rights issues, would be formed.

Day 3: NGO Representatives

The day began with brief addresses by Mr. Ranjan Kumar Mohanty and Mr. Bibhu Mohapatra, on the role of NGOs in campaigning for the right to information and electoral reform. In the course of responding to various questions, Mr. Mohapatra pointed out that NGOs should employ a participatory technique in campaigning for these issues

Broad Outcome of the Workshop

It emerged from the Workshop that the following measures are necessary for the realization of the right to information and electoral reform:

- a) A joint effort by various NGOs, activists, media , other individuals and civil society groups.
- b) Mass campaigns at grass roots level.
- c) Core Committee at the State level for joint action.
- d) Alliance building among legal practitioners, media persons, activists and civil society groups.
- e) Thorough analysis of the past twenty years developmental work done by the Government in the State.
- f) More workshops at Block and District levels.
- g) Production and distribution of campaign materials in local language.
- h) Creating pressure from the community and macro level policy intervention.
- i) Educating voters on their role and responsibility.

The main bottlenecks were found to be:

- a) Non-cooperation from Government officials and an absence of technical knowledge.
- b) Non-cooperation from political parties in becoming more open in their work and approach.

The following suggestions were made:

- a) The next meeting should be convened soon, with greater participation, to chalk out future details.
- b) All legal matters should be discussed in detail.

It was also felt that there needs to be a common platform to ensure the right to information, better governance and the protection and promotion of human rights. Therefore, the Jana Adhikar Abhijan was formed with the participants in the workshop as its primary members, a core committee of 12 to govern and manage it, and PECUC as its coordinating agency in Orissa.