



Right to Information

Training Module

for Union Parishad and Government
Line Agency Representatives at
Union Level

inter
cooperation

Swiss Foundation for Development and
International Cooperation

Right to Information

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The use and sharing of information given in this document is encouraged, with due acknowledgement of the source.

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Foreword

With the endorsement of the 'Right to Information Act 2009' and its subsequent enforcement on April 6, 2009, Bangladesh entered into a new era in which information is allowed to flow freely and citizens have access to information. No doubt, this law will contribute significantly to the economic development of Bangladesh. If this law is applied properly, the degree of transparency and accountability in the government, in autonomous and statutory bodies and in non-government agencies will increase considerably and corruption will reduce. It will also contribute to a further acceleration of good governance and decentralization processes at both national and local levels. Lastly, it will result into a free flow of information with regard to our development projects and play a positive role in ensuring proper utilization of development finances.

The local governance program (Sharique) implemented by Intercooperation has developed a set of training manuals on Right to Information. The set consists of 3 manuals for different levels, namely (1) for citizens at village level, (2) for Union Parishads and Government Line Agencies and (3) for Upazilla Parishads. These training manuals will inspire both citizens and local government actors to work together to strengthen local governance in Bangladesh.

I do thank Intercooperation for this timely and useful initiative.

A handwritten signature in Bengali script, which reads "মহাম্মদ জামির" (Mohammad Jamir).

Mohammad Jamir
Chief Information Commissioner
Information Commission, Bangladesh



Preface

The local governance program Sharique started in 2006. The program is implemented by Intercooperation and financed by the Swiss Agency for Development and Cooperation and provides assistance to improve local governance in 130 Union Parishads and 21 Upazilla Parishads in Bangladesh. Union Parishads in the Sharique working regions are supported to proactively disclose information to the citizens while 'access to information' is a key component of the processes that Sharique follows. With the newly enacted law 'Right to Information Act 2009', the good practices followed by involved UPs have been legalized and are now mandatory. The law permits citizens the right to formal application for information and gives authorities the obligation to supply the requested information. This is recognized as a breakthrough initiative in Bangladesh. With these new developments in mind, Sharique initiated collaboration with the World Bank Institute (WBI) and undertook a one year project to prepare training manuals on Right to Information (RTI). These manuals will be used for conducting training at the level of villages, Union Parishads and Upazilla Parishads.

Under the initiative, Sharique had assistance of the Delhi based organization Commonwealth Human Rights Initiative (CHRI). This organization provided different technical support including an orientation of Sharique staff, followed by an intensive consultation process to prepare the training manuals. Extensive peer review, two rounds of field tests and a national consultation workshop were conducted. In the process, opinions of the representatives of different government institutions and institutes, CBOs, NGOs, civil society, donor agencies and academics were sought. Different individuals and organizations played a very meaningful contribution to this achievement. Salua, Sardaha and Harogram UPs, Bargachhi and Silinda CBOs in Rajshahi district, Talbon CBO in Sunamganj district and Titas UP of Comilla extended wonderful cooperation to make field testing successful.

Whenever advices were sought, CHRI, and especially their representatives, Sohini Paul and Venkatesh Nayar were ready to provide it. Besides, Mohammad Jamir, the Chief Information Commissioner-Bangladesh and Mrs. Sadika Halim, the Information Commissioner, came forward with necessary advices at different times to enrich the work. Hard work and meaningful contribution was given by the Sharique staff. Intercooperation is grateful to all these individuals.

As a result of the use of these manuals, citizens will become aware of how to demand information from authorities and Union and Upazilla level officials will attain adequate skills in supplying this information. Apart from this, I do hope that these training manuals will contribute to better collaboration between citizens and their local governments and to an increase in transparency and accountability in government and non-government functioning in Bangladesh.

A T M Azmul Huda

Deputy Delegate, Intercooperation-Bangladesh and National Coordinator, Sharique, Intercooperation

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Outline of the module

| | | |
|----------------------------|---|---|
| Objective | : | Make Union Parishad (UP) representatives and Union based Government Line Agency functionaries aware about their legal obligation to disclose information and ensure citizen's right to information. |
| Participants | : | Union Parishad representatives, Union based staff of Government Line Agencies (GLAs) |
| No. of participants | : | up to 25 |
| Duration | : | 2 days |
| Venue | : | E.g. UP hall room |

Training schedule

Day 1

- ◆ Session 1: Introduction (35 min)
- ◆ Session 2: Realising the importance of access to information (60 min)
- ◆ Session 3: Introduction to the Right to Information Act 2009 (50 min)
- ◆ Session 4: Importance of access to information in relation to good governance (1 h 20 min)
- ◆ Session 5: Legal framework for RTI at Union level (2 h 15 min)

Day 2

- ◆ Session 6: How to deal with information applications? (1 h 15 min)
- ◆ Session 7: How to improve access to information? (1 h 35 min)
- ◆ Session 8: Developing of an action plan on improving access to information (1 h 30 min)
- ◆ Session 9: Concluding session (20 min)

Session 1: Introduction

Objective of session:

Participants will know the workshop's objectives and get introduced to each other and the trainers.

Duration:

35 minutes

Methodology:

- ◆ Ice breaking
- ◆ Questions and answers

Training material:

- ◆ Workshop programme

Training aids:

Poster paper, rope, masking tape, marker pens, flip chart board with stand (if available), clips

Process:

Step 1: (5 min)

The trainer welcomes the participants, introduces her/himself and explains the objectives of the workshop as presented on a poster paper ¹. He/she then asks 1-2 participants to briefly explain in their own words the objectives.

Step 2: (10 min)

The trainer gives each participant one puzzle piece (each puzzle consists of two pieces) ². After each of the participant has a puzzle piece the trainer explains that they now have to find the person to make the puzzle complete and that once they have found that person, they should sit next to each other, introduce themselves with the aim to be able to introduce the other person to the plenary later on.

¹ Note 1A: Objectives of Session 1

² Note 1B: Instruction on how to prepare puzzle pieces

Step 3: (10 min)

The trainer invites the participants to introduce the person with other puzzle piece to the plenary.

Step 4: (5 min)

The trainer displays a poster paper with the workshop programme ³ and explains the same to the participants.

Step 5: (5 min)

The trainer asks the participants to set the norms of the workshop which will be noted down on a poster paper by the co-trainer. Norms that are expected to be mentioned are the following:

- Switch off mobile phones or put them on silent mode
- Listen to others when they speak
- Give each participants equal chance to speak and contribute
- -----

³ Note 1c: Poster on Training Schedule

Notes for trainers - Session 1

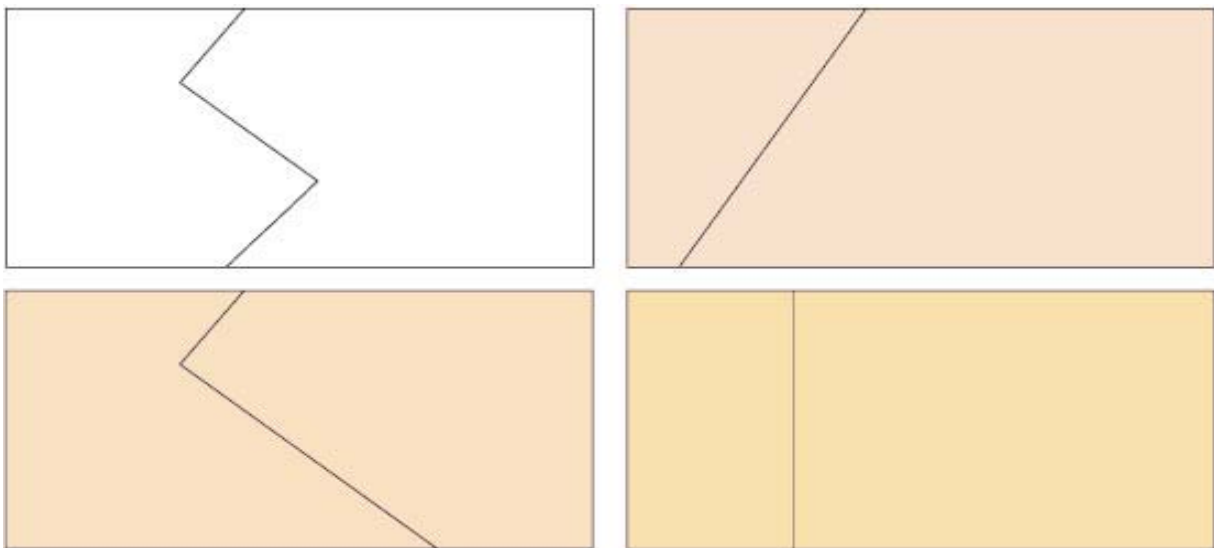
Note 1A: Objectives of Session 1

Participants will know the workshop's objectives and get introduced to each other and the trainers

Note 1B: Instruction on how to prepare puzzle pieces

Use VIIP cards or other paper (A5 or A6) if available in different colours. Cut the paper in two different manners. Make sure that only full pairs are handed out to the participants.

Samples:



Note 1C: Training schedule

Day 1

- ◆ Session 1: Introduction (35 min)
- ◆ Session 2: Realising the importance of access to information (60 min)
- ◆ Session 3: Introduction to the Right to Information Act 2009 (50 min)
- ◆ Session 4: Importance of access to information in relation to good governance (1 h 20 min)
- ◆ Session 5: Legal framework for RTI at Union level (2 h 15 min)

Day 2

- ◆ Session 6: How to deal with information applications? (1 h 15 min)
- ◆ Session 7: How to improve access to information? (1 h 35 min)
- ◆ Session 8: Developing of an action plan on improving access to information (1 h 30 min)
- ◆ Session 9: Concluding session (20 min)

Session 2: Realising the importance of access to information

Objective of session:

To realize the importance of access to information for citizens, the Union Parishad and government line agencies

Duration:

60 minutes

Methodology:

- ◆ Narrating of stories
- ◆ Presentation
- ◆ Plenary discussion

Training material:

- ◆ Stories on access to information

Training aids:

Poster papers, permanent markers, flipchart board with stand, if available, otherwise rope and masking tape to hang poster papers

Process:

Step 1: (5 min)

Share what the session is about including its objectives with the help of a poster paper ⁴.

Step 2: (10 min)

Narrate the two stories ⁵.

Step 3: (10 min)

After narrating the stories the trainer asks the participants whether they understood the stories and what they have learnt from them about the issue of information. Give five to ten minutes for participants' feedback.

Step 4: (10 min)

The trainer mentions that the narrated stories were hypothetical stories. Such stories could also be found related to other sectors and topics such as 'transfer of ownership of land', 'higher education', 'health, livestock etc... The trainer then asks the participants to think about similar experiences they have made in their lives when accessing different public services. Ask the participants the following questions to think about the story they want to share:

⁴ Note 2A: Objectives of session 2

⁵ Note 2B: Stories on access to information

- ◆ What problems have you faced in accessing public services due to the lack of access to information?
- ◆ What did you do to overcome the problems of lack of access to information?

Ask four participants to volunteer to tell their story. Keep in mind to have male and female volunteers and representatives from the UP and GLAs.

The co-trainer writes the major points of the participants' stories related to access to information on a poster paper.

Step 5: (5 min)

Summarise and highlight the key points that emerged from the stories and experiences told by the participants in regard to lack of information using those written down by the co-trainer.

Step 6: (10 min)

Initiate a discussion among the participants to understand the importance of access to information as members of UPs and GLAs. For this you can ask the following set of questions:

- ◆ As a member of the Union Parishad or GLA are you aware of the information of public interest available in your office? Cite some examples?
- ◆ Do you get access to the different letters that are sent by the GLAs, Upazila, DC office and other departments to the UP office? Similarly, do you have access to the registers being maintained at your offices?

After each question give them enough time to respond and discuss before asking the next question. Please make sure that all participants are given an opportunity to speak and encourage women to contribute in the discussion as well.

The trainer needs to remind the participants not to speak about services but information they provide. For example display of office hours, citizens charter, budget board, different information on notice board etc.

The co-trainer writes the major points of the participants' responses on a poster paper.

Step 7: (5 min)

Summarise and highlight the key points that emerged from the answers given by the participants using those written down by the co-trainer.

Step 8 (5 min)

The trainer asks the participants what they have learnt from this session.

Notes for trainers - Session 2

Note 2A: Objectives of session 2

To introduce the concept of Right to Information: what it is and why it is important for citizens, Union Parishad representatives and government line agencies.

Note 2B: Stories on access to information

Story 1

Nasifa Rehan, a widow from Palashbari village with two small children, was keen to send her older daughter who had just turned seven to school. However, Nasifa did not have enough money to buy the required text books, neither the money to buy good clothes for her daughter.

Nasifa inquired with her neighbours whether they knew about schemes that provide text books for free. One of her neighbours mentioned that she had heard that there is both a government scheme and a scheme by an NGO. Nasifa visited the nearby school to get information on the mentioned schemes. When she visited the school, the head master was absent and there was no notice when he could be found in his office, neither could any teacher inform her when and how she could contact him. So she went to the Union Parishad office to inquire. The Union Parishad Secretary said that he had not received any information from the education department and neither from the NGO working in the Union that such a scheme existed. The Union Parishad Secretary apologised that he could neither provide Nasifa with the information how she could reach the NGO nor the Upazila education officer by telephone since he did himself not have the contact details.

Nasifa did not give up and visited the nearby Upazila headquarter to inquire about such schemes. Unfortunately, the concerned education officer was not present since she had gone to visit a school. Nasifa also did not find any information on the notice board about a scheme that provides free text books.

Nasifa was very disappointed and upset that nobody could provide her with the required information. For the time being Nasifa decided therefore not to enrol her daughter to primary school but wait for a while until she could afford the costs.

In fact the NGO working in Nasifa's Union had a scheme for poor widows to support them with stipends for their children. The government had also a scheme to provide text books and education material but somehow, the information about those schemes was not appropriately disseminated.

Story 2

Ashraf Kamal, a share-cropper of Rupnagar village, noticed one day that some leaves in his potato field curled and became dry. He asked some of the other farmers what that could mean. One of his neighbours mentioned that it must be a disease but that he did not know what could be done about it. He suggested Ashraf Kamal to visit the office of the Sub-Assistant Agricultural Extension Officer (SAAEO) located in the Union Parishad complex.

As Ashraf Kamal arrived at the office of the SAAEO at 2 pm on a Wednesday afternoon the office was closed. There was a notice mentioning that the SAAEO was usually present in his office on Sunday, Monday and Tuesday from 9am to 12am. The notice also mentioned the mobile number of the SAAEO.

Since Ashraf Kamal did not want to wait until the following Sunday he decided to call the SAAEO with the mobile of his neighbour. The SAAEO replied to the call and upon listening to Ashraf Kamal's observation about his potato plants, he informed him that the potatoes were most probably infested with a common disease which can be treated. The SAAEO promised to visit Kamal's field.

The next day SAAEO visited Kamal's field and diagnosed the disease as potato blight disease. He told him to buy a fungicide and explained him how to apply it. Within a week Kamal's problem was solved.

Session 3: Introduction to the Right to Information Act 2009

Objective of session:

To make participants aware of the spirit of the Right to Information Act 2009

Duration:

50 minutes

Methodology:

- ◆ Presentation
- ◆ Questions and answers

Training material:

- ◆ Input on history and context of the RTI Act 2009
- ◆ Poster with preamble or RTI Act, 2009
- ◆ Input on what the RTI Act 2009 is about
- ◆ Diagram on Right to Information

Training aids:

Poster papers, permanent markers, flipchart board with stand, if available, otherwise rope and masking tape to hang poster papers

Process:

Step 1: (5 min)

Share what the session is about including its objectives with the help of a poster paper ⁶.

Step 2: (10 min)

Ask the participants the following questions:

- ◆ Who collects information? (the government, UP, GLAs, etc.)
- ◆ For what purpose are they collecting the information? (for the betterment of the people / for the development of the country)
- ◆ With whose money is the information collected? (people's money through taxes)
- ◆ Who does the information ultimately belong to? (citizens)

The trainer then links the fact that in a democracy where the government is elected by the citizens to serve them, information is collected for the benefit of the citizens and ultimately belongs to them.

⁶ Note 3A: Objectives of session 3

Step 3: (10 min)

The trainer then explains that a law has come into force that secures the right of the citizens over information held by the government and non-government organisations running on government or foreign funding. The trainer explains the history ⁷ that led to the enactment of this act.

Step 4: (10 min)

Hang⁸ the poster with the preamble of the RTI Act 2009 and ask one participant to volunteer and come up to the board and read the preamble to the participants. After the volunteer has read the preamble, you can ask the participants to explain what they have understood. Some of the key words in the preamble have already been highlighted.

Step 5: (5 Min)

The trainer now explains what the right to information is using the facilitator's note ⁹ .

Step 6: (5 min)

The trainer defines RTI using the concerned diagram and explanatory note ¹⁰ .

Step 7: (5 min)

Ask the participants what they have learnt from this session.

⁷Note 3B: Input on history and context of the RTI Act 2009

⁸ Note 3C: Poster with preamble of RTI Act 2009

⁹ Note 3D: Input on what the RTI Act 2009 is about

¹⁰ Note 3E: Diagram on Right to Information

Notes for trainers - Session 3

Note 3A: Objective of session 3

To make participants aware of the spirit of the Right to Information Act 2009

Note 3B: Input on history and context of the RTI Act 2009

People around the globe have advocated for the right to information for many years. This right was universally accepted by introducing it in the Universal Declaration of Human Right in 1948.

Since then more than 70 countries have enacted a law to provide people with access to government-held information.

In Bangladesh, the Bangladesh Press Council first demanded for the freedom to publish government information in 1983. Different organizations have been advocating for citizens' access to official information since then. In 2002 the Bangladesh Law Commission drafted a right to information act, which was however never enacted. In 2006 a movement started in Bangladesh to strongly demand for an act to give people the right to access government held information.

This finally resulted in the Caretaker Government to take up the popular demand and enacted a Right to Information Ordinance in 2008. The parliament finally passed the current Right to Information Act in 2009.

Note 3C: Poster with preamble or RTI Act 2009

Preamble of the Bangladesh Right to Information Act, 2009

The Act makes provisions for ensuring free flow of information and people's right to information. The freedom of thought, conscience and speech is recognised in the Constitution as a fundamental right and the right to information is an alienable part of it. Since all powers of the Republic belong to the people, it is necessary to ensure right to information for their empowerment.

The right to information shall ensure that transparency and accountability in all public, autonomous and statutory organisations and in private organisations run on government or foreign funding shall increase, corruption shall decrease and good governance shall be established. It is expedient and necessary to make provisions for ensuring transparency and accountability.

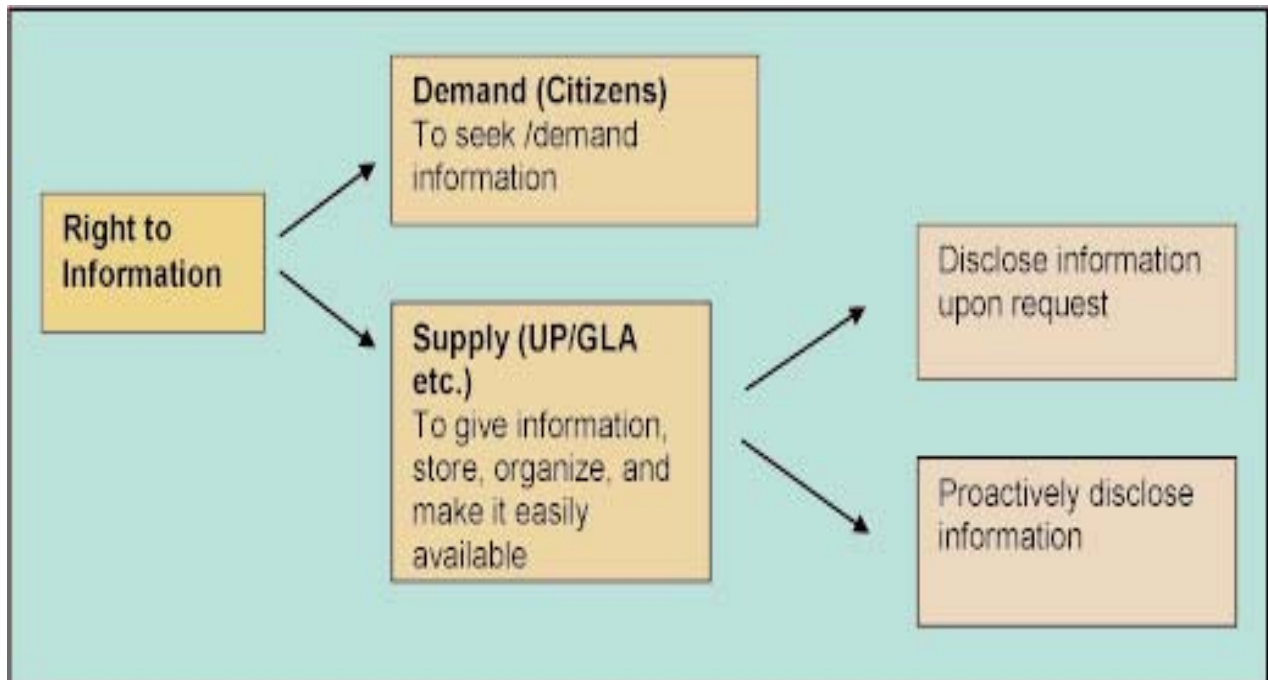
Note 3D: Input on what the RTI Act 2009 is about:

The right to information is a fundamental human right which is made up of different rights and responsibilities, namely:

- ◆ Every persons has the RIGHT to request information from the government - and even private bodies in some cases;
- ◆ The DUTY of the government to provide the requested information, unless defined exemptions apply; and
- ◆ The DUTY of the government to proactively disclose information that is of general public interest without the need for requests from citizens.

Through the RTI Act access to information has become a right like the right of getting health services or the right to free speech.

Note 3E: Diagram on Right to Information



Session 4:

Importance of access to information in relation to good governance

Objective of session:

To make participants aware of the importance of access to information in relation to good governance

Duration:

1 hour 20 minutes

Methodology:

- ◆ Questions/answers
- ◆ Lecture using either posters or slide show

Training material:

- ◆ Note on 'What is good governance - link to RTI'
- ◆ Presentation on 'Benefits of access to information in relation to good governance'
- ◆ Diagram on RTI, good governance and socio-economic development

Training aids:

Poster papers, flipchart board with stand or arrangement for hanging posters

Process:

Step 1: (5 min)

Share what the session is about including its objectives with the help of a poster paper ¹¹ .

Step 2: (10 min)

What is good governance?

The trainer presents the 6 principles of good governance ¹² , and shortly explains each of them, giving examples ¹³ provided in the trainer's note . In doing so she/he can refer to the stories told in session 2 and the personal experiences mentioned by participants in that session. The trainer highlights that access to information contributes to improving the different aspects of good governance.

¹¹ Note 4A: Objectives of session 4

¹² Note 4B: Principles of good governance

¹³ Note 4C: What is good governance - link to RTI

Step 3: (10 min)

Link between access to information and good governance

The trainer hangs again the preamble of the RTI Act and highlights which principles of good governance (accountability, transparency, responsiveness, participation, equity, due process of law) are reflected in the preamble of the RTI Act.

Step 4: (15 min)

Benefit of RTI in relation to Good Governance

The trainer asks participants what they view as benefits of RTI for the citizens (demand side) and for the institutions (supply side).

As the participants give their view the co-trainer marks those points on the poster presentation which are mentioned by participants (without showing the poster yet to the participants).

Step 5: (5 min)

After participants have given their views the trainer supplements their inputs with his/her presentation using the prepared poster ¹⁴.

Step 6: (25 min)

The trainer shows the diagram ¹⁵ with the relation between RTI - Good Governance and Socio-Economic Development and asks the participants to explain what they understand from looking at the poster.

Step 7: (5 min)

The trainer supplements the explanations of the participants.

Step 8: (5 min)

Ask the participants what they have learnt from this session.

¹⁴ Note 4D: Poster on benefits of implementing RTI Act in relation to good governance

¹⁵ Note 4E: Diagram on the relation between RTI Act, good governance and socio-economic development

Notes for trainers - Session 4

Note 4A: Objectives of session 4

To make participants aware of the importance of access to information in relation to good governance

Note 4B: Principles of good local governance

- ◆ Participation
- ◆ Transparency
- ◆ Accountability
- ◆ Non-discrimination
- ◆ Effectiveness
- ◆ Rule of law

Note 4C: What is good governance - link to RTI

Good Governance follows 6 main principles, which RTI will contribute to:

Participation

All men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their interests. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively. E.g. citizens are invited to participate in the budgeting process of the Union Parishad and need to approve the final UP budget.

Transparency

Access to and free flow of information is a prerequisite of a political system based on democratic participation. It means that political processes and institutions are directly accessible to the people concerned and interested, and that enough information is provided to understand and monitor them. Closed political and economic decision-making hinders political control, increases the risk of abusing power and corruption. E.g. the Union Parishad publicly displays its annual budget and annual accounts.

Accountability

Accountability means holding decision-makers responsible for their actions. Political decision-makers are ultimately responsible to their population for actions of the government and its administration. E.g. citizens request from the Union Parishad to inform them about the money spent for a planned road project.

Non-discrimination

A society's well being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires that all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well being. E.g. Adivashi or disabled women and men are given equal opportunity to access government services and participate in UP decision making processes.

Effectiveness

Processes and institutions produce results that meet needs while making the best use of resources. E.g. the Union Parishad builds a good quality road in a place that is most frequented by people at the lowest possible cost.

Rule of law

One key element is the principle that the activities of the government and the administration are not ruled by the arbitrariness of the ruling elite, but based on legal rules: There is no space for State activity beyond the law. E. g. if a person applies for khas land/jalmahal the government cannot allot such land based on the person's affiliation with a political party or family links to an important government official but needs to follow the due process laid out in the concerned law and related guidelines.

Note 4D: Poster on Benefits of implementing RTI Act in relation to good governance

Demand side

1. Citizens are able to claim their rights and represent their interest (e.g. community representatives demanding for better health services at the Union level because they know they can receive medicine free of cost).
2. Citizens more actively participate in local governance (e.g. citizens contribute to UP planning and budgeting because they know that they have a role to play in the planning process).
3. Citizens have more equal opportunities to access services and resources (e.g. poor are equally treated as rich for health service because they know they have such a right).
4. Citizens have access to socio economic opportunities (e.g. improved agricultural practices through accessing new technologies by knowing available resources and services).
5. Citizens can get better respond from service providers (e.g. citizens receive more information because of a proactive disclosure by line agencies and UP).
6. Citizens are more aware on local government issues (e.g. citizens participate in different UP events because they are informed).
7. Citizens are able to raise their voice and opinion (e.g. active participation in UP standing committees because they know the structure and role of these institutions).
8. Citizens are able to influence local development planning (e.g. citizens expressing their opinion during UP planning because they are informed about what the UP intends to do).
9. Citizens get better services because of reduced vested interests and corruption (e.g. distribution of VGD cards to the real beneficiaries because the selection process is transparent).

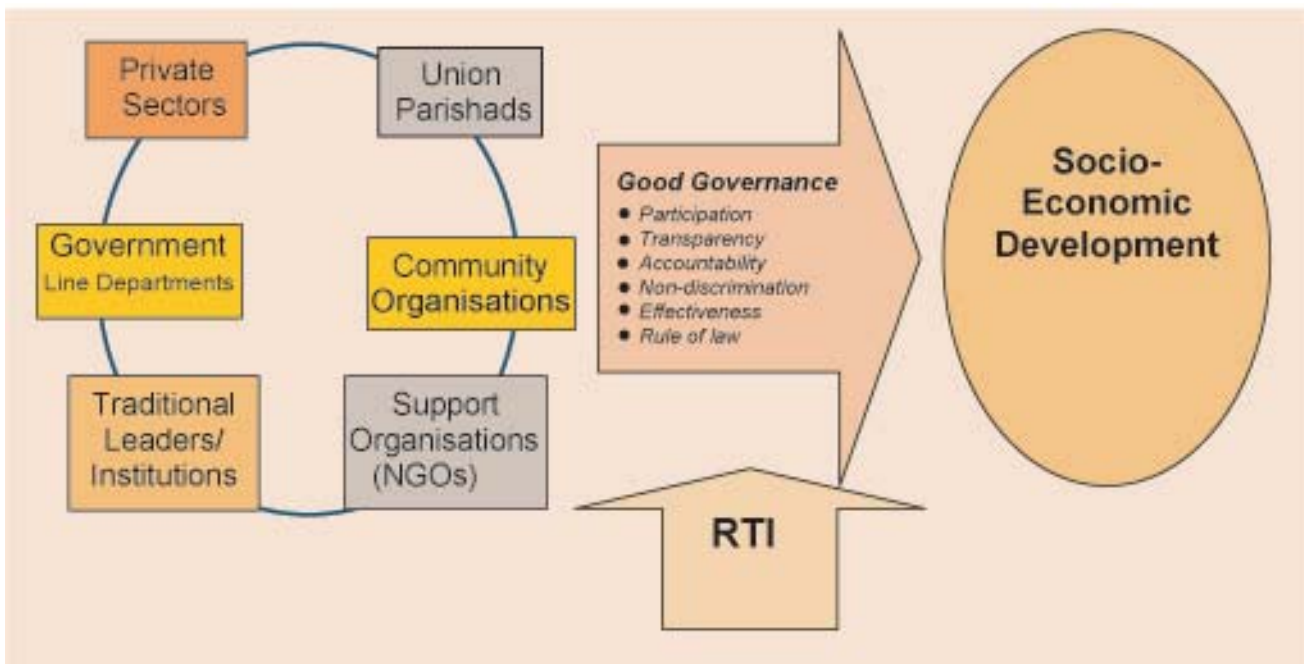
Supply side:

1. UP and GLA are aware about community demand (e.g. UP collect needs and demand from citizens during planning meetings).
2. UP and GLA have an increased accountability (e.g. pro-active disclosure shows citizens that UP is working for them).
3. UP increase transparency in planning, implementing and monitoring (e.g. sharing information through project site signboard).
4. UP and GLA have improved credibility, acceptance and recognition of their work (e.g. citizens are aware of the work done by the UP, which increases the popularity of the elected members; UP come to visit best practices of advanced UP).
5. UP benefit from increased participation and contribution from communities (e.g. by trusting more UP on the basis of the information provided by them, community share resources and volunteers for development works).
6. UP develop increased opportunities to enhance Tax revenue (e.g. by knowing that UP provide good services and how the taxes are assed, citizens are more willing to pay taxes).
7. UP can provide better services because reduced vested interests and corruption (e.g. because of open disclosure of information and participation of informed citizens in the UP planning, there is less chance of external influence).

8. UP can better service the citizens from enhanced collaboration with other actors (e.g. UP can respond the needs of citizens by knowing relevant resources and sources of services such as GLAs, NGOs, etc).
9. It will reduce unrealistic demands from citizens.

Note 4E: Diagram on the relation between RTI, good governance and socio-economic development

Explanation for facilitator:



This diagram shows:

- ◆ The collaboration between the actors
- ◆ If they apply the principles of good governance, this will lead to socio-economic development
- ◆ The RTI will enhance the principles of good governance, and therefore positively influence socio-economic development

Session 5: Legal framework for RTI at Union level

Objectives of session:

- ◆ Participants will understand the different legal provisions regarding citizen's access to information
- ◆ Participants will realize their responsibilities in regard to the legal provisions

Duration:

2 hours 15 minutes

Methodology:

- ◆ Group work
- ◆ Presentation
- ◆ Plenary discussion
- ◆ Question and answers

Training material:

- ◆ Poster on 'Objectives of session 5'
- ◆ Handouts on 'Salient Features of the Right to Information Act 2009
- ◆ Presentation on 'Legal Provisions in Regards to Citizens' Rights to Information at Union level'

Training aids:

Poster papers, permanent markers, flipchart board with stand, if available, otherwise rope and masking tape to hang poster papers

Process:

Step 1: (5 min)

The trainer briefly highlights the key lessons of the previous sessions and discusses their relationship with this session, ending with linking the objective of good governance with RTI.

Step 2: (5 min)

The trainer shares what this session is about including its objectives with the help of a poster paper¹⁶.

Step 3: (5 min)

He/she then asks the participants whether they know anything about the legal obligations of UPs and GLAs regarding RTI.

¹⁶ Note 5A: Objectives of session 5

Step 4: (40 min)

The trainer asks the participants to divide into five groups for instance by asking them to number from 1 to 5 and all the '1s', '2s' etc. will form a group. Tell the participants that each of the five groups will study one important aspect of the RTI Act 2009.

- ◆ Group 1: "Who is covered under RTI Act?"
- ◆ Group 2: "Who shall ensure access to information?"
- ◆ Group 3: "Types/forms of information accessible"
- ◆ Group 4: "In what form do requests have to be made for the UP/GLA to have to respond to them?"
- ◆ Group 5: "Time limits and penalty provisions"

Distribute the required number of the concerned handouts¹⁷ to each group and ask the groups to extract the important messages.

Ask each group to select (i) a moderator for the group discussion, (ii) somebody to document the discussion, and (iii) somebody to present the group findings on a poster paper to the plenary. Each group will prepare a presentation on their extract of the RTI act.

Trainer and co-trainer move around the groups and support them where necessary during the group exercise.

Step 5: (50 min)

After completion of the group work the trainer asks each group to make a five-minute presentation in the plenary. Members of other groups will be allowed to ask questions and make comments. The trainer will summarise the important issues after each group presentation.

Step 6: (20 min)

The trainer will make a presentation either by the use of the Powerpoint presentation¹⁸ or by transferring the content of the Powerpoint presentation on poster papers. The presentation is about other legal provisions in regards to citizens' rights to information at Union level.

The trainer will ask the participants for their comments and questions after completion of each of the parts of the presentation.

Step 7: (10 min)

The trainer will conclude the session by asking four volunteers from among the participants to mention some new lessons drawn from the session.

¹⁷ Note 5B: Handouts on "Salient Features of the Right to Information Act 2009"

¹⁸ Note 5C: Presentation on "Legal Provisions in Regards to Citizens' Rights to Information at Union level"

Notes for trainers - Session 5

Note 5A: Objectives of session 5

- ◆ Participants will understand the different legal provisions regarding citizen's access to information.
- ◆ Participants will realize their responsibilities in regard to the legal provisions.

Note 5B: Handouts on "Salient Features of Right to Information Act 2009"

Group 1: "Who has to ensure the access to information under RTI Act 2009?"

The following institutions are assigned under the law to ensure citizen's access to information in Bangladesh:

- ◆ Authorities (Section 2kha)
- ◆ Information Providing Units (Section 2gha)
- ◆ Responsible/Designated officer (Section 10)
- ◆ Appellate Authority (Section 2ka)
- ◆ Information Commission (Section 11)

Authorities:

All government and non-government agencies in Bangladesh are meant to be 'authorities', in general (e.g. ministry of agriculture, Union police fari, UZP, UP, BRAC, ASA etc.).

Information Providing Units:

The regional/local offices of these 'authorities' are meant to be 'IPU'. These offices have the responsibility for proactively and responsively disclosing their information (e.g. UP, Office of the Upazila Education officer).

Information Commission:

It is a central body constituted at national level with 3 commissioners. One of them is the Chief Information Commissioner. It is located in Dhaka. It is the highest office for ensuring RTI related dispute resolution and developing RTI policies.

Responsible/designated officer:

A staff shall be designated in each IPU and the concerned office of each authority, who is responsible and accountable for providing information to the citizen.

Appellate authority:

The head of the immediate upper office of an IPU is meant as the authority to deal with RTI appeals. The head of an IPU also can be deemed as an 'appellate authority in case of non-existence of any higher office.

Group 2: "Who is covered under the RTI Act 2009?"

The following agencies are the subjects to disclose and provide information (Section 2):

- ◆ Any agency constituted in as per the obligation of constitution of Bangladesh (e.g. UP, UZP etc.)
- ◆ Any ministry, divisions, of the government of Bangladesh (e.g. Ministry of Health, Ministry of Information etc.)
- ◆ Any government autonomous body (Rajshahi University, Bangladesh Agricultural Development Corporation, Bangladesh Agricultural Research Institute, etc)
- ◆ Any non government agency/organization run on government funding or assistance of government funding (e.g. Bangladesh Disability Foundation).
- ◆ Any non- government agency/organization run on foreign aid/funding(e.g. BRAC)
- ◆ Any non-government agency/organization which is given the responsibility to undertake public functions as per its deed of agreement with the government (e.g. private agency who is collecting toll of a bridge, private contractors working on government contracts, contractors working on government contracts, mosques & temples which receive government funding etc.).
- ◆ Any other agency or organization to be created through new gazette notification by the government.

Group 3: "Which types and forms of information can be accessed by citizens under RTI Act 2009?"

Types of information:

Proactive disclosure is mandatory for the following information (Section 6):

- ◆ **Structure of authority:** E.g. the organogram of a Union Parishad and each Standing Committee including the elected members as well as the government officials who work with the Union Parishad such as the Secretary and the Accounts Assistant cum Computer Operator.
- ◆ **Roles and responsibilities:** E.g. roles and responsibilities of the Union Parishad, each Standing Committee as well as the roles and responsibilities of the Chairman of the Union Parishad, the members, officers and employees of the UP as well as the officers and employees of the various ministries and departments of the government who have been deployed at the Union Parishad.
- ◆ **Decision making process:** E.g. decisions are taken in the Union Parishad meetings based on the votes of the majority of the members attending the meeting. Each member can cast his or her vote once and if needed the Chairman can cast a second or decisive vote;
- ◆ **List of all available information:** I.e. laws, rules, guidelines, circulars, manuals, UP meeting minutes, UP planning records.
- ◆ **Process and conditions of applications** of license, permit, grants, allocations and other services/ benefits
- ◆ **Contact details** of Responsible Officer
- ◆ **Other information:** e.g. budget of the UP, project design & specification

On-demand disclosure is mandatory for the following information (Section 8):

- ◆ Any other information except those which are listed in the list of exemptions in the RTI act: E.g. Salary of GLA officials, budget of Health Ministry, access to files and registers of the UP, etc.

It is not mandatory to disclose/provide information on a few issues like (Section 7),

- ◆ Personal life: E.g. the health records of the Chairperson or members of the Union Parishad are private information. Personal letters written to family members and friends which have no bearing on the public are also personal information.
- ◆ Information on pending criminal investigations
- ◆ Quotation documents before opening event
- ◆ Questions of examinations

Forms of information (Section 8 (2)):

- ◆ Printed (original) copy: E.g. reports and publications made by the Union Parishad or the Upazila Parishad or any other authority shall be made available to the public at a nominal price.
- ◆ Photocopy
- ◆ Soft copy: E.g. CD, e-mail.
- ◆ Inspection

Group 4: "In what form do requests have to be made for the UP/GLA to have to respond to them?" (Section 8)

- ◆ A request for information needs to be made in the form of a paper-written application or e-mail or other electronic media to the responsible/designated officer of an IPU. If available the application needs to be made on the prescribed form/format. Names and address of the application form and types of the information etc. need to be mentioned in the application.
- ◆ A small amount of fees/costs shall be applicable for getting some information.

How to make an appeal (Section 24)

- ◆ Any person is aggrieved by a decision of the responsible/designated officer may make an appeal to the appellate authority within the 30 days.

How to make a complaint (Section 25)

A citizen can submit a complaint to the information in the following circumstances:

- ◆ If he/she was refused by the IPU, or did not get right information in right time
- ◆ If he/she is aggrieved by the appeal decision

Group 5: "Different deadlines and penalties under the RTI Act 2009?"

Deadlines (Section 9):

For Providing Information:

- ◆ The designated officer shall provide information that is applied for within 20 working days.
- ◆ The information officer shall provide information that is applied for within 30 working days if the information requested concerns more than one Information Providing Unit or authority.
- ◆ The information officer shall provide information within 24 hours in relation to any death, arrest and release from the jail.
- ◆ If the Information Officer is not able to provide the information requested, he/she has to inform the applicant (in writing) within 10 days.
- ◆ If any requested information is available with the Designated Officer he/she has to inform the applicant about the fees applicable and ask the applicant to make the payment within 5 working days.

For Appeal (Section 24):

- ◆ The aggrieved applicant shall have to make his/her appeal within 30 days of the decision to the concerned appellate authority.
- ◆ The appellate authority shall have to dispose the appeal within 15 days of the submission.

For Complaints (Section 25):

- ◆ The aggrieved applicant shall have to submit his/her complaint to the information commission within 30 days.
- ◆ The information commission shall have to dispose the complaint within 45 to 75 days.

Penalty Provisions (Section 27):

- ◆ The Information Commission can impose a penalty on a Designated Officer of 50 Taka per day for delaying to provide information up to a maximum of 5,000 Taka.
- ◆ In addition to this departmental actions can also be taken against the Designated Officer.

Note 5C: Presentation on "Legal Provisions in Regards to Citizens' Rights to Information at Union level"

Bangladesh Constitution

- ◆ Every citizen of Bangladesh has freedom of thought, conscience, speech and expression' (article 39, Bangladesh Constitution)

Right to Information Act 2009

- ◆ RTI law was enacted because of our constitutional obligation(the preamble of RTI Act 2009)
- ◆ All local level government institutions (UP/GLAs) have now an obligation to disclose/share information in both pro-active and responsive manner (Section 2, 4 RTI Act 2009)
- ◆ RTI Act 2009 will override other existing laws which conflict with the provisions of RTI Act 2009 in regard to free disclosure of information (Section 3 RTI Act 2009)

LG (Union Parishad) Act, 2009

Citizens' access to UP information

Any citizen of Bangladesh now has the right to get any information from the UP (Section 78[1])

Proactive Disclosure of UP information

UP must display an updated 'Citizen Charter' containing the list of its services, eligible criteria and the timeline in the prescribed format. (section: 49)

Transparency in planning and budget:

- ◆ UP shall have to share its annual budget in a open public meeting under ward Shova (Section 57)
- ◆ Recommendations of public meetings of ward Shova shall have to be considered in preparing UP budget as a priority (section 6[1b]).
- ◆ List of eligible beneficiaries shall have to be selected through the public meeting of ward Shova (section 6[7]).
- ◆ UP shall finalize its budget in an open public meeting (section 57[2])

Transparency in implementation:

- ◆ UP must hold two public meetings annually at each ward under ward Shova with at least 5% of its voters for reviewing the progress of project implementations (section 5, 6, 7).
- ◆ Annual report on the last year's performance shall have to be declared by the respective UP member in the annual meeting of ward Shova (section 5[6])
Project implementation progress and expenditure status shall be made public through ward meetings and ward level information boards under Ward Shova(6[2])

Transparency in financial management:

- ◆ UP audit report shall have to be discussed in ward meeting of ward Shova and feedback shall be referred to the UP body (6[3])

Disclosure of UP information upon demand

- ◆ A citizen can apply for information in writing in the prescribed form or in blank paper (if form is not available) to the UP chairman (section 79[1])

Who is the designated staff at UP for providing information

- ◆ UP secretary or any other UP staff to be designated(section 80[1])

Obligations of the designated officer

- ◆ The designated officer must provide the information otherwise there is a fine/penalty (section 80[2]).

UP Development Fund Use Guideline 2005' and 'LGSP Operational Manual'

- ◆ Citizen's consultation in UP planning
- ◆ Citizens' supervision of/engagement in the implementation of UP projects
- ◆ Publishing income and expenditure statements (quarterly and annually) in UP notice boards and open public meetings
- ◆ Provision of open tendering
- ◆ Display of projects and purchase information and names of the members of SICs

Session 6: How to deal with information applications?

Objective of session:

Participants will know how to respond to verbal and written information requests/applications.

Duration:

1 hour 15 minutes

Methodology:

- ◆ Presentations
- ◆ Plenary discussion
- ◆ Questions and answers

Training material:

- ◆ Poster papers on 'Objectives of session 6'
- ◆ Poster paper on 'How to respond to verbal information requests'
- ◆ Poster paper on 'How to respond to written information requests'
- ◆ Handout on 'How to claim information from other authorities'

Training aids:

Poster papers, permanent markers, flipchart board with stand, if available, otherwise rope and masking tape to hang poster papers

Process:

Step 1: (5 min)

Share what the session is about including its objectives with the help of a poster paper¹⁹.

Step 2: (20 min)

The trainer asks participants what they do when a person asks them verbally for information in regard to the UP/GLA. The co-trainer writes the participants' answers on a poster paper.

The trainer then makes a presentation with the help of a written poster paper²⁰ on how to respond to verbal information requests/applications.

After the presentation s/he asks participants for their comments and questions.

¹⁹ Note 6A: Objectives of session 6

²⁰ Note 6B: How to respond to verbal information requests/applications

Step 3: (35 min)

The trainer asks participants what they would do if a person applied for information in writing. The co-trainer writes the participants' answers on a poster paper.

The trainer then makes a presentation with the help of a written poster paper ²¹ on how to respond to written information requests/applications.

After the presentation she/he asks participants for their comments and questions.

Step 4: (5 min)

The trainer distributes the handout on how to access information under the RTI Act 2009 ²². She/he mentions that this handout is meant for them as citizens of Bangladesh with their personal right to information. She/he mentions that how to access information as citizen is not part of this training. The trainer also distributes copies of the amendment of the RTI Act 2009 and the rules framed under the RTI Act 2009.

Step 5: (10 min)

The trainer asks three participants to mention their major learnings from this session.

²¹ Note 6C: *How to respond to written information requests/applications*

²² Note 6D: *How to claim information from other authorities*

Notes for trainers - Session 6

Note 6A: Objectives of session 6

Participants will know how to respond to verbal and written information requests/applications.

Note 6B: How to respond to verbal information requests/applications

What information to respond to:

The principle you should follow is to provide as much information as possible on verbal requests. This will save the applicant from writing a formal application and will save you from formally having to respond to the request.

How:

- ◆ When a person verbally requests for information, make sure that you understand correctly what information the person is seeking.
- ◆ In case you have the required information, provide this by allowing the applicant to view the concerned register/record/laws, rules, guidelines.
- ◆ In case you do not have the required information tell the applicant where he/she can receive the required information.
- ◆ In case you reject giving information, explain the reason for this to the applicant. Inform the applicant about the possibility of formally applying for the information under the RTI Act. Tell the applicant to whom he/she would need to address his/her application.

Note 6C: How to respond to written information requests/applications

What information:

For Union Parishad:

The Union Parishad has to provide any information that it holds based on applications of citizens except the following:

- ◆ Information that might, if disclosed offend the privacy of an individual (e.g. information about details of UP mediation processes in family matters).
- ◆ Information that might, if disclosed, endanger the life or physical safety of an individual.
- ◆ Information about purchase processes that have not yet been completed (e.g. a tender process for the sale of timber of the UP).

For Government Line Agency Staff at UP level:

The Government Line Agency Staff at UP level, when receiving an application in writing will need to follow the same process as the one explained above. In case the concerned line agency does not have an appointed Responsible Officer the line agency staff needs to inform the applicant that he/she is not the person to deal with these requests. He/she should mention who the Responsible Officer for providing information is in his/her department at Upazila level.

How to respond to written information requests:

For Union Parishad:

Union Parishad Secretary to:

- ◆ Send/provide an acknowledgement receipt to the information applicant. This acknowledgement receipt needs to contain the following information:
 - Reference number of the application
 - Name of recipient of the application
 - Designation of the recipient of the application
 - Date when application was received
- ◆ In case of applications by email or in other electronic form, the date of sending will be treated as the date of receiving.
- ◆ Read the application carefully and understand what information is sought.
- ◆ See whether this information does not belong to exempted information.
- ◆ Check records/registers/documents about the requested information.
- ◆ Make sure that the information is ready to be collected or to be delivered by the UP personnel within 20 days of the application submitted.
- ◆ Inform the applicant either in person or in writing²³ before the 20 days are over how, where and when the applicant can collect/receive the information and at what cost (see form GHA²⁴).
- ◆ In case of informing the applicant in writing, make two copies of the response letter, one for the applicant and one for your file²⁵.
- ◆ Once you receive the applicable payment, record this in the relevant register and provide the information in the requested form.
- ◆ When providing the information, make sure that if you provide a document to the applicant that on each page is written 'this information is provided under RTI Act 2009' and certified by the UP Chairman or any UP member with his/hers name, signature and official seal.

How to deal with incomplete requests:

- ◆ If the UP Secretary receives an incomplete request he/she has to inform the applicant immediately about the information that is missing in the application. The UP Secretary should supply and explain the form KA²⁵ to the applicant and support him/her in filling it in. If the form is not available inform the applicant on how to write a complete application and support him/her in doing so. No fee can be claimed for this service.

In case you are not able to provide information against the application:

- ◆ According to section 9 (3) if for some reason the UP Secretary is unable to provide the information, he/she will inform this to the applicant within 10 working days as per form KHA.

²³ Tip-Rules of RTI Act 2009, SRO No 238-Law/2009 - issued 27/10/2009; Amendment of the rules of the RTI Act 2009, SRO No 67-Law/2010 - issued 07/03/2010

²⁴ Note 6F: Form GHA - Form regarding fees for information requests

²⁵ Note 6E: Sample response letter to applicant

In case you receive an appeal by mistake:

- ◆ If the UP Secretary receives by mistake an appeal he/she must inform the appellant immediate. He/she must inform the appellant about the authority (incl. address of the concerned person) to which the appeal should be sent.

Application fee and fees for information:

- ◆ In order to receive information, the applicant will have to pay the payable amount to the UP in cash, through money order, postal order, crossed cheque or stamp.
- ◆ Once the information is available the UP Secretary has to inform the applicant that he/she has to make the payment (cost will be determined as per form GHA²⁶) within 5 working days.

For Government Line Agency Staff at UP level:

The Government Line Agency Staff at UP level, when receiving an application in writing will need to follow the same process as the one explained above. In case the concerned line agency does not have an appointed Responsible Officer the line agency staff needs to inform the applicant that he/she is not the person to deal with these requests. He/she should mention who the Responsible Officer for providing information is in his/her department at Upazila level.

Note 6D: How to claim information from other authorities? (will be given as a hand-out for use of participants as citizens)

Only individuals as citizens can apply for information. No organization or institution is allowed to apply for information. This means that for instance an Agriculture Extension Officer can only apply for information in his capacity as a citizen and not in his capacity as Agriculture Extension Officer.

How to apply for information?

1. Define the information that you seek.
2. Identify which institution could provide you with the concerned information.
3. Apply by using the official form KA ²⁷. In case the form is not available write a simple application on a blank sheet of paper²⁸. The application needs to include the following information:
 - (i) Mentioning at the top that the application is made under Section 8 of the RTI act 2009;
 - (ii) Date of application;
 - (iii) To whom you address the application (see point 4 below);
 - (iv) Your name, address and phone number. If available your fax number and/or email address;
 - (ii) Clear description of the information you seek;

²⁶ Note 6G: Form KA - Information Application Form

²⁷ Note 6J: Form GHA - Form regarding fees for information requests

²⁸ Note 6G: Form KA - Information Application Form

- (iii) Mention information which could help in locating the information within the authority you apply to;
 - (iv) Description of how you want to receive the information. For instance by inspection (e.g. visit to an office and looking at the concerned documents²⁹), getting a copy of the document or by inspection and taking notes.
4. Send your application preferably by registered post, hand delivery , fax or email to the Responsible Officer of the Information Providing Unit of the concerned authority. You may visit or call the authority to find out who the Responsible Officer is. If you cannot find out who the Responsible Officer is, send your application addressed to the Responsible Officer using the address of the head of that particular authority.
 5. The application fees need to be sent with the application for which the applicant should receive a receipt.

Response to application

The Responsible Officer of the concerned authority has to provide³⁰ you with a response within 20 working days of receiving your application. If more than one Information Providing Unit is involved in providing the information the Responsible Officer has to provide you with a response within 30 working days.

If you seek information in regard to any person's life or death, arrest and release from jail the Responsible Officer must provide you the information within 24 hours from receiving the application. In case a person with a disability applied for information the Responsible Office if required has to assist that person to access the information applied for.

In case the Responsible Officer decides to reject your application, he needs to do so in writing within 10 days of receiving the application.

²⁹ Documents could be written documents, films, maps, audio document (Section 2, f of Act)

³⁰ Tip: take along two copies of the application and get one signed by the receiver as a proof of your application. Make sure that the date of receipt of the application is mentioned.

Appeal

If you do not receive a response or are not happy with the response from the concerned Responsible Officer you can appeal to the appellate authority of the same authority. The appellate authority needs to be defined by each authority. You may visit or call the authority to find out who the appellate authority is. If you cannot find out who the appellate authority is, send your appeal addressed to the Appellate Authority using the address of the head of that particular authority.

You need to submit your appeal within 30 days from receiving the response from the RO or within 30 days after the date when you should have received a response from the RO.

Within 15 days the appellate authority either directs the RO to provide you the requested information within 20 days/30days/24 hours (see above) or has to inform you that they reject the application.

Complaint

In case you still do not get any response from the concerned authority or are not happy with their response, you can complain to the Information Commission.

You need to submit your complaint within 30 days from receiving the response from the authority or within 30 days after the date when you should have received a response from the authority.

Write your complaint on a blank sheet of paper. The complaint needs to include the following information:

- (i) Mentioning at the top that the complaint is made under Section 25 of the RTI act 2009;
- (ii) Date of complaint;
- (iii) Addressed to the 'Information Commission';
- (iv) Your name, address and phone number. If available your fax number and/or email address;
- (ii) Clear description of the information you sought and from which authority. Clear argument why you are complaining and what you expect from the Information Commission;
- (iii) Copies of your original application and the appeal;
- (iii) If you received any response from the concerned authority, include copies.

The complaint needs to be addressed to: Information Commission of Bangladesh, Archaeology Building (3rd Floor), F 4/A Agargaon Administrative Area, Sher-e-Bangla Nagar, Dhaka

Note 6E: Sample response letter to applicant

Reference No of the Application:-----

To

Name and Address of the Applicant:

Subject: Delivery of the Application

Dear Sir,

In reference to your application dated-----this is for your kind information that your desired information will be ready for your collection from the desk of-----Official in this office on -----/ sent through our personnel to you by------(date).

Sincerely yours,

(-----)

Designated Officer

(Seal)

Note 6F: Sample RTI application letter

1. Applicant's Name : Md Shamsuzzaman
Father's Name : Md Nasiruddin
Mother's Name : Mrs Sanwara Begum
Present Address : Bazarpur, P/O: Hat Ramchandrapur, Ward #: 7,
Union:Parila, Upazila paba, P/S: Paba,
District: Rajshahi
Permanent Address : As above
Fax, E-mail, telephone, and mobile nos. (if available) 0171123 4320

2. Description of information (use extra paper if required):

- a) Please give a list of all the works related to repair and maintenance of earthen roads carried out in my area (Ward # 7) since 1st July 2008 till December 2009. The list should contain the name of the work, Work Order No, actual date of start, actual date of completion, amount paid or payable, status of work, name of head of PIC/SIC, list of PSC/SSC committee, and mode of improvement of those roads.
- b) In each of the above works, please give a list of the earthen roads (mentioning from which house holding no. to which house holding no. was it repaired), which were repaired under those work, the length of repair and average width of repair in each earthen roads.
- c) For each of these works, please mention what was the guarantee clause, if any and whether it has been invoked so far.
- d) After you have prepared the above information, I would like to inspect your measurement books and work order registers related to these works to ensure that you have given complete information.

3. In which form is information sought: (printed/photocopy/ Written/e-mail/fax/CD or any other method):

1. In Writing 2. Photocopy 3. Inspection

4. Name and Address of recipients of Information:

Md Moniruzzaman, C/O: Md Nasiruddin. Bazarpur, P/O: Hat Ramchandrapur, Ward #: 7, Union: Parila, Upazila paba, P/S: Paba, District: Rajshahi

5. Where applicable assistant's Name and Address: Kamal Uddin, Bazarpur, P/O: Hat Ramchandrapur, Ward #:7, Union: Parila, Upazila Paba, P/S: Paba, District: Rajshahi

6. Name and address of the Authority providing information: Parila Union Parishad.

7. Date of application: 18.02.2010

Applicant's Signature

Note 6G: Form KA - Information Application Form

Schedule
Form KA
(Rule 3)

Application for Information

- 1) Name of applicant :
Father's name :
Mother's name :
Present Address :
Permanent Address :
Fax, Email, Telephone and Mobile Phone Number (if available)
- 2) What type of information (use additional paper if needed):
- 3) In what form do you want to receive the information (printed/photocopy/ written / email/ fax/CD or other):
- 4) Name and address of information receiver:
- 5) If applicable name and address of the collaborator:
- 6) Name and address of the information providing authority:
- 7) Date of application :

Applicant's Signature

Note 6H: Form KHA - Form regarding declining information provision

Form KHA
(Rule 5)

Notice about inability to provide Information

Reference number of application:

Date:

To:

Name of applicant:

Address:

Subject: Informing about the inability to provide information

Dear Sir/Madam,

It is not possible to provide the information that you wanted through your application dated
due to following reasons :

- 1)
- 2)
- 3)

(-----)
Name of Designated Officer
Designation
Office Seal

Note 6I: Form GA - Form regarding making an appeal

Form GA
(Rule 6)
Appeal

- 1) Name of appellant and address (best way of communication):
- 2) Date of appeal:
- 3) Copy of the "order" against which this appeal is made (if available)
- 4) Name of the person who issues the 'order' against which this appeal is made and description of the order (if available):
- 5) Brief description of the appeal:
- 6) Reason for grievance against the 'order' (brief description):
- 7) Justification/basis of the expected answer:
- 8) Certification by the appellant:
- 9) Any other information that the appellant is willing to submit to the appealing authority

Signature of the appellant

Note 6J: Form GHA - Form regarding fees for information requests

Form GHA

Rule 8

Fees for information request and pricing of information

In case of providing information, information request fee and price of information should be paid according to the mentioned information in column (2) and the rate and price mentioned in column (3) of the following table:

| Serial number | Description of Information | Information request fee/price of information |
|---------------|---|---|
| (1) | (2) | (3) |
| 1 | For providing copy of any written documents (map, design, photo, computer printer) | In case of A3 and A4 paper taka 2 (two) per page and actual cost for the over size paper. |
| 2 | Information providing in disk, CD etc. | (1) Free of cost in case of the applicant provides disk, CD etc. (2) Actual price in case of the Information provider supply disk, CD etc. |
| 3 | Information in regards to any act, government circular rules etc. | Free of cost |
| 4 | In case of providing publications for sale Price | mentioned in the publication |
| 5 | | |

By the order of the President

Session 7: How to improve access to information?

Objective of session:

Participants reflect on their current practices in regard to providing access to information and how to improve those practices.

Duration:

1 hour 35 minutes

Methodology:

- ◆ Group work
- ◆ Plenary discussions

Training material:

- ◆ Poster paper with list of questions.
- ◆ A4 papers with the two questions for each of the three groups.
- ◆ Note on possible examples to be given for each of the questions.
- ◆ Note on 'Meaning of 'pro-active' and 'on-demand' disclosure of information'.

Training aids:

Poster papers, permanent markers, flipchart board with stand, if available, otherwise rope and masking tape to hang poster paper

Process:

Step 1: (5 min)

Share what the session is about including its objectives³¹ with the help of a poster paper .

Step 2: (40 min)

The trainer presents and explains the questions for the group work using the prepared poster papers³² . He/she will give some examples³³ and elaborate³⁴ on the meaning of 'pro-active' and 'on-demand' disclosure of information .

³¹ Note 7A: Objectives of session 7

³² Note 7B: Checklist for group work

³³ Note 7C: Possible responses of the questions

³⁴ Note 7D: Meaning of 'pro-active' and 'on-demand' disclosure of information

The trainer divides the participants into three groups; One consisting of GLA representatives and the other three of UP representatives. The group consisting of the GLA representatives will be working on all three questions, while each of the groups consisting of UP representatives will work on one topic.

She/he asks each group to discuss on the questions for half an hour and write the answers on the prepared poster paper, which they would then present to the plenary. She/he asks the groups to select a moderator and somebody who will present the results in the plenary.

The trainer hands out a poster paper and markers to each group along with a paper on which the questions to work on are written. She/he will assign a place for each group to work in.

The trainers(s) should go around the groups to see whether they understood their tasks and if necessary guide them in their discussions (see note on possible answers).

Step 3: (40 min)

Following the order of the questions, first the groups made up of UP representatives present their results and then the group of the GLA representatives. After each group presentation leave space for participants of the same group to complement the presentation and for other participants to ask questions or make comments.

Step 4: (15 min)

After each group presentation and discussion among participants, the trainer will present his/her inputs of what other points participants may consider regarding the concerned question.³⁵

Step 5: (5 min)

The facilitator will summarise the session highlighting main points in regard to the existing practices and future situation in regard to providing access to information.

Facilitator thanks participants for their contribution and their presentations.

³⁵ Note 7C: Possible answers to questions

Notes for trainers - Session 7

Note 7A: Objectives of session 7

Participants reflect on their current practices in regard to providing access to information and how to improve those practices.

Note 7B: Topics for group work

Group 1: 'What information is currently sought by citizens (incl. civil society representatives, private sector) / What information may be sought by citizens in the future?'

Group 2: 'How and what information do you currently pro-actively disclose? / How and what information will you pro-actively disclose in the future?'

Group 3: 'How and what information do you currently disclose on-demand? / How and what information will you disclose on-demand in the future?'

Note 7C: Possible answers to questions (for trainer's use)

1) What information is currently sought by citizens (incl. civil society representatives, private sector) / What information may be sought by citizens in the future?

| Current situation UP | Possible future situation UP |
|---|--|
| Information on allocation of different 'handouts' to the citizens Information on social safety nets Information on certificates Information on how to obtain khas land | Information on cost of different projects Information on project duration Information on resource allocation from GoB and other sources Information on selection criteria and current beneficiaries of social safety nets |

| Current situation LA | Possible future situation LA |
|--|---|
| Information on services available from LAs (Seeking advice from LAs) Information about responsible persons in different line agencies | Information on beneficiaries of LA services ('handouts'- e.g. sanitary latrines, seeds etc.). Information about services which cannot be provided by the concerned LA at Union level (referral system) |

2) What information do you currently pro-actively disclose and how? What information will you pro-actively disclose in the future and how?

| Current situation UP | |
|---|---|
| What | How |
| <ul style="list-style-type: none"> - Birth registration - Safety net programme allocations - UP budget - Projects/schemes - Circulars and information from Upazila, District and Ministries - Awareness messages e.g. early marriage, sanitation, violence against women, trafficking, dowry etc. | <ul style="list-style-type: none"> - Notice board & through individual verbal communication - Notice board & through individual verbal communication - Budget board - On-site project boards - Notice board - Wall painting |

| Future situation UP | |
|---|---|
| What | How |
| - Income and expenditure of Union Parishad | - Public meeting (e.g. open budget meeting, ward meetings, budget review meetings) - Permanent board with financial statement ³⁶ of previous year |
| - Plan/budget of Union Parishad | - Public ward planning meetings - Public open budget meeting - Permanent board with plan/budget ³⁷ |
| - Information on beneficiaries of different schemes | - Display of list of beneficiaries of different schemes outside the UP secretary's office during office hours - Display of criteria for inclusion in different schemes on UP notice board ³⁸ |
| - Information on services and service providers | - Display of contact persons of different beneficiary selection committees by wall painting - Wall painting of opening hours of UP - Permanent board with citizens charter ³⁹ |
| - Information on existing registers and records, laws, guidelines | - Wall painting of services provided by other actors in the Union and how to contact these providers (e.g. NGOs, private sector organizations) ⁴⁰ . |
| - Information on how to apply for non-displayed information | - Wall painting with contact details of RO (name, address, phone number etc.) - Notice board - Wall painting with message that citizens have a right to apply for information. Contact details of UP secretary as the Designated Officer and details on how to apply for information. |

³⁶ Provide example of board with financial statement of UP

³⁷ Provide example of budget board

³⁸ Provide example of how criteria can be displayed

³⁹ Provide example of citizen charter

⁴⁰ Provide example of such a list

| Current situation GLA | |
|--|--|
| What | How |
| <ul style="list-style-type: none"> - Technical information regarding agriculture, livestock, fisheries etc. - Information on demonstration plots - Health awareness | <ul style="list-style-type: none"> - Wall painting, posters and meetings with farmers (groups) - Field days with farmers - Wall painting, posters |

| Future situation GLA | |
|--|--|
| What | How |
| <ul style="list-style-type: none"> - Information on available services | <ul style="list-style-type: none"> - Wall painting of contact persons and office availability of concerned LA - Wall painting of services concerned LA provides and at what cost - Display of available subsidies and new provision (e.g. permits for fertilizers) from government on notice board & through miking. - Poster with information about where to get services that cannot be provided by the Union level LA staff |
| <ul style="list-style-type: none"> - Technical information regarding agriculture, livestock, fisheries etc. | <ul style="list-style-type: none"> - RO information |
| <ul style="list-style-type: none"> - Information on demonstration plots | <ul style="list-style-type: none"> - Wall painting, posters and meetings with farmer groups - Field days with farmers, on-site board |
| <ul style="list-style-type: none"> - Information on beneficiaries | <ul style="list-style-type: none"> - Display of notice on notice board that persons can visit the office of the concerned LA staff to inspect the beneficiary list of different schemes. - Display on notice board of selection criteria for different schemes - Wall painting, posters |
| <ul style="list-style-type: none"> - Awareness on health, education, environment, etc. - Information on how to apply for non-displayed information | <ul style="list-style-type: none"> - Wall-painting with message that citizens have a right to apply for information. Contact details of concerned Designated Officer of the GLA and details on how to apply for information. |

3) What information do you currently disclose on-demand and how? What information will you disclose on demand in the future and how ?

| Current situation UP | |
|--|--|
| What | How |
| <ul style="list-style-type: none"> - list of beneficiaries of safety nets - tax assessment details - budget information | <ul style="list-style-type: none"> - Based on verbal requests |

| Future situation UP | |
|---|--|
| What | How |
| <ul style="list-style-type: none"> - Financial statement of projects/schemes - Basis and process of beneficiary selection | <ul style="list-style-type: none"> Invite applicant to inspect the concerned book of account and statements and explain these Deliver the copy of the guideline and explain the selection criteria |

| Current situation GLA | |
|---|--|
| What | How |
| Information on services: <ul style="list-style-type: none"> - Immunization programme - Agriculture technology and inputs - Health and sanitation - Livestock health | <ul style="list-style-type: none"> Personal counselling Poster Miking Group meetings Prescription |

| Future situation GLA | |
|---|--|
| What | How |
| Information on services: <ul style="list-style-type: none"> - Immunization progarmme - Agriculture technology and inputs - Health and sanitation - Livestock health - Soil health Information on allocations by GLAs: <ul style="list-style-type: none"> - Medicine - Agriculture inputs - Education - Animal health | <ul style="list-style-type: none"> Share the schedule, methodology and fees - budget sanctioned for a particular project - expenditure statement for various construction projects such as construction of roads, school building, health centre, pond - list of medicines to be given free of cost by the primary health centre |

Note 7D: Meaning of 'pro-active' and 'on-demand' disclosure of information

Pro-active disclosure of information means that information should be disclosed to anybody without waiting for anyone to apply for it. E.g. a Union Parishad which displays its detailed budget on a board accessible to the public pro-actively discloses this information. Other examples are UPs which present the annual accounts to the citizens in a ward Shova.

Furthermore, as per the new RTI Act 2009, each Union Parishad will have to proactively disclose information regarding the functions, duties and responsibilities of the Chairperson, elected members and all the officers and employees.

On-demand disclosure of information means that information is not made public unless somebody asks for that information. In such a case the information is only provided to the person requesting the information. E.g. if a person does not know whether his/her name is in the list of beneficiaries he/she may ask/apply to the Union Parishad asking about his/her inclusion in the list. The Union Parishad will only respond to that person giving him/her the information requested.

Another example could be that a person could ask for the total amount of money that has been sanctioned for a particular Union Parishad for the construction of a road, pond, community centre, primary health centre etc. for the year ----- . On obtaining this information, it could be verified, cross-checked with the ground reality.

Note 7E: Inputs of trainer on questions dealt with by the groups

- 1) **What information could be sought by the citizens (incl. civil society representatives, private sector) under the new legislative provisions?’**

Union Parishad related information

Information related to Union Parishad revenues

- How many funds does the UP receive from the central government under what schemes and for how many persons is the related scheme (e.g. ADP, TR, 100-days, KABIKA/KABITA, LGSP)?
- How many funds has the UP received from other sources like projects, NGOs (e.g. HYSAWA)
- How many taxes has the UP collected (e.g. holding taxes, professional taxes)

Information related to Union Parishad expenditures

- What projects, at what costs has the UP implemented and who were the beneficiaries
- What expenses has the UP incurred on its establishment (incl. honorarium of UP Chairmen etc.)

Information on beneficiaries of different schemes

- What are the selection criteria for different schemes
- Who has been included/has received benefits from social safety net schemes (e.g. VGD, VGF, Old Age Pension)
- Who has been included/has received benefits from other UP administered schemes (e.g. sanitary equipments, blankets)

Information on services

- Opening hours of UP
- What services the UP is meant to provide and at what costs (e.g. birth certificates, trade licenses, recommendations for khas land)
- What services are provided by other actors in the Union and how to contact these providers (e.g. NGOs, private sector organizations)

Line Agency related information

Information on services

- What service the concerned LA provides and at what cost
- Who provides these services and how to contact the concerned person
- Information about where to get services that cannot be provided by the Union level LA staff

Information on beneficiaries

- Who has received benefits from schemes (e.g. seeds, fertilizer, vaccines)
- What are the selection criteria for different schemes

2) How and what information to pro-actively disclose

Union Parishad related information

Income and Expenditure of Union Parishad

- Public meeting (e.g. open budget meeting, ward meetings, budget review meetings)
- Permanent board with financial statement of previous years

Plan/budget of Union Parishad

- Public ward planning meetings
- Public open budget meeting
- Permanent board with plan/budget

Information on beneficiaries of different schemes

- Display of list of beneficiaries of different schemes outside the UP secretary's office during office hours
- Display of criteria for inclusion in different schemes on UP notice board
- Display of contact persons of different beneficiary selection committees by wall painting

Information on services

- Wall painting of opening hours of UP
- Permanent board with citizens charter
- Wall painting of services provided by other actors in the Union and how to contact these providers (e.g. NGOs, private sector organizations)
- Wall painting with contact details of Designated Officer-DO (name, address, phone number etc.)

Information on existing registers and records, laws, guidelines

- Accessible shelf with updated registers and records
- Accessible desk or shelf with government laws and guidelines for people to consult

Line Agency related information

Information on services

- Wall painting of services concerning LA provides, at what cost
- Wall painting of contact persons of concerned LA
- Poster with information about where to get services that cannot be provided by the Union level LA staff
- DO information-----

Information on beneficiaries

- Display of notice on notice board that persons can visit the office of the concerned LA staff to inspect the beneficiary list of different schemes.
- Display on notice board of selection criteria for different schemes

3) How and what information to disclose on-demand

Refer to previous session (session 6) in which this topic was dealt with.

Session 8: Developing of an action plan on improving access to information

Objective of session:

Participants elaborate action plan on improving access to information for the Union Parishad and for the GLAs at Union level.

Duration:

1 hour 30 minutes

Methodology:

- ◆ Brainstorming
- ◆ Presentation
- ◆ Group exercise

Training material:

- ◆ Poster containing the essential elements of planning
- ◆ Template of action plan on poster

Training aids:

Poster papers, permanent markers, flipchart board with stand, if available, otherwise rope and masking tape to hang poster paper

Process:

Step 1: (5 min)

Share what the session is about including its objectives with the help of a poster paper⁴¹.

Step 2: (10 min)

The trainer displays the outputs of the group exercises of the previous session. He/she highlights some of the good practices of information disclosure (what information and how information is disclosed) presented in the previous session.

The trainer mentions that the gap between current practices and the proposed future practices indicates the need for an action plan.

The trainer should mention that such good practices should be considered in their action plan which they will develop in this session.

⁴¹ Note 8A: Objective of session 8

Step 3: (10 min)

The trainer asks the participants whether they know the elements of a good action plan.

Step 4: (10 min)

The trainer concludes the discussion showing a poster⁴² containing the major elements of planning and citing two or three examples⁴³ how to plan.

Step 5: (5 min)

The trainer divides the participants into two groups. One group will consist of the GLA representatives the other one of the UP representatives. He/she asks them to select one discussion leader, documenter and presenter for each group.

The trainer distributes pre-prepared empty planning chart. He/she will remind the groups to consult the handout on information disclosure distributed in the previous session as well as the posters with their presentations made in session 6 as they prepare their action plan.

Step 6: (30 min)

The trainer asks the groups to select the important types of information and fill up the associated columns mentioned in the template.

Step 7: (20 min)

Each group presents their action plan in the plenary. Members of the other group may ask questions and suggest changes/additions.

Step 8: (5 min)

The trainer concludes the session by highlighting the major points of the action plans of the two groups.

⁴² Note 8B: Sample of planning (for participants)

⁴³ Note 8B: Sample of planning (for trainer)

Notes for trainers - Session 8

Note 8A: Objective of session 8

Participants elaborate action plan on improving access to information for the Union Parishad and for the GLAs at Union level.

Note 8B: Planning Template (for participants)

Name of the Union:

Period of Action Plan:

| What type of information | How (Activity) | When (starting date - ending date) | Where (place) | Who (Responsible person) | Remarks |
|---|----------------|------------------------------------|---------------|--------------------------|---------|
| Proactive disclosure - - - - | | | | | |
| On-demand disclosure - - - - - | | | | | |

Note 8C: Sample Plan (for trainer's reference)

| What type of information | How (Activity) | When (starting date - ending date) | Where (place) | Who (Responsible person) | Remarks |
|---|---|---|-----------------------|--|---------|
| <p>- Prepare and publish information of;</p> <p>a. Structure of UP</p> <p>b. Roles and responsibilities of UP body</p> <p>c. Decision making process of UP</p> <p>d. List of all available information (i.e. laws, rules, guidelines, circulars, manuals)</p> <p>e. Process and conditions of applications of license, permit, grants, allocations and other services/ benefits</p> <p>f. Contact details of RO</p> <p>- Decide, develop and arrange publication (in strategic public places) of basic UP documents e.g.</p> <p>a. Display board of annual plan, budget and UP services</p> <p>b. On site project implementation board</p> <p>c. Ward level monitoring board</p> <p>d. Citizens charter</p> <p>e. GLAs services</p> | <p>- In another working team (with UP Members and SC Members)</p> <p>do</p> | <p>- Within a month after the training and update regularly</p> <p>do</p> | <p>- UP</p> <p>do</p> | <p>- Any of the selected UP Member and Secretary, UP</p> <p>do</p> | |

| What type of information | How (Activity) | When (starting date - ending date) | Where (place) | Who (Responsible person) | Remarks |
|--|--|---|--|---|---------|
| <p>Dealing with requests</p> <ul style="list-style-type: none"> - Make available or formulate and print the information request form - Publicize how to fill the form - Assess the availability and source of information - In case the "info" is unavailable the Responsible Officer (RO) will explain and will refer to the appropriate source(s) - Open a "info" delivery register and maintain its on regular basis | <ul style="list-style-type: none"> - UP Meeting | <ul style="list-style-type: none"> - Within one month after the training | <ul style="list-style-type: none"> - UP | <ul style="list-style-type: none"> - Secretary, UP | |

Session 9: Concluding session

Objective of session:

Evaluation of training by participants and concluding of training.

Duration:

20 minutes

Methodology:

- ◆ Mood meter
- ◆ Plenary discussion

Training material:

- ◆ Poster to evaluate training by participants

Training aids:

Poster papers, permanent markers, flipchart board with stand, if available, otherwise rope and masking tape to hang poster paper

Process:

Step 1: (5 min)

Share the fact that the training has come to an end and that participants are invited to evaluate the usefulness of the training.

Step 2: (5 min)

The trainer asks participants to individually tick on a continuum from very satisfied to completely disappointed. Place the prepared poster paper on a flipchart board and let the board face the opposite direction of the plenary (trainer and co-trainer should not see what the individuals score).

Step 3: (5 min)

The trainer turns the board around so that everybody can see the score. Ask two participants to say what they most liked about the training and what they did not like or missed in the training.

Step 4: (5 min)

The trainer then thanks all of the participants for their participation and wishes them success in ensuring implementation of the Right to Information Act 2009.

Notes for trainers - Session 9

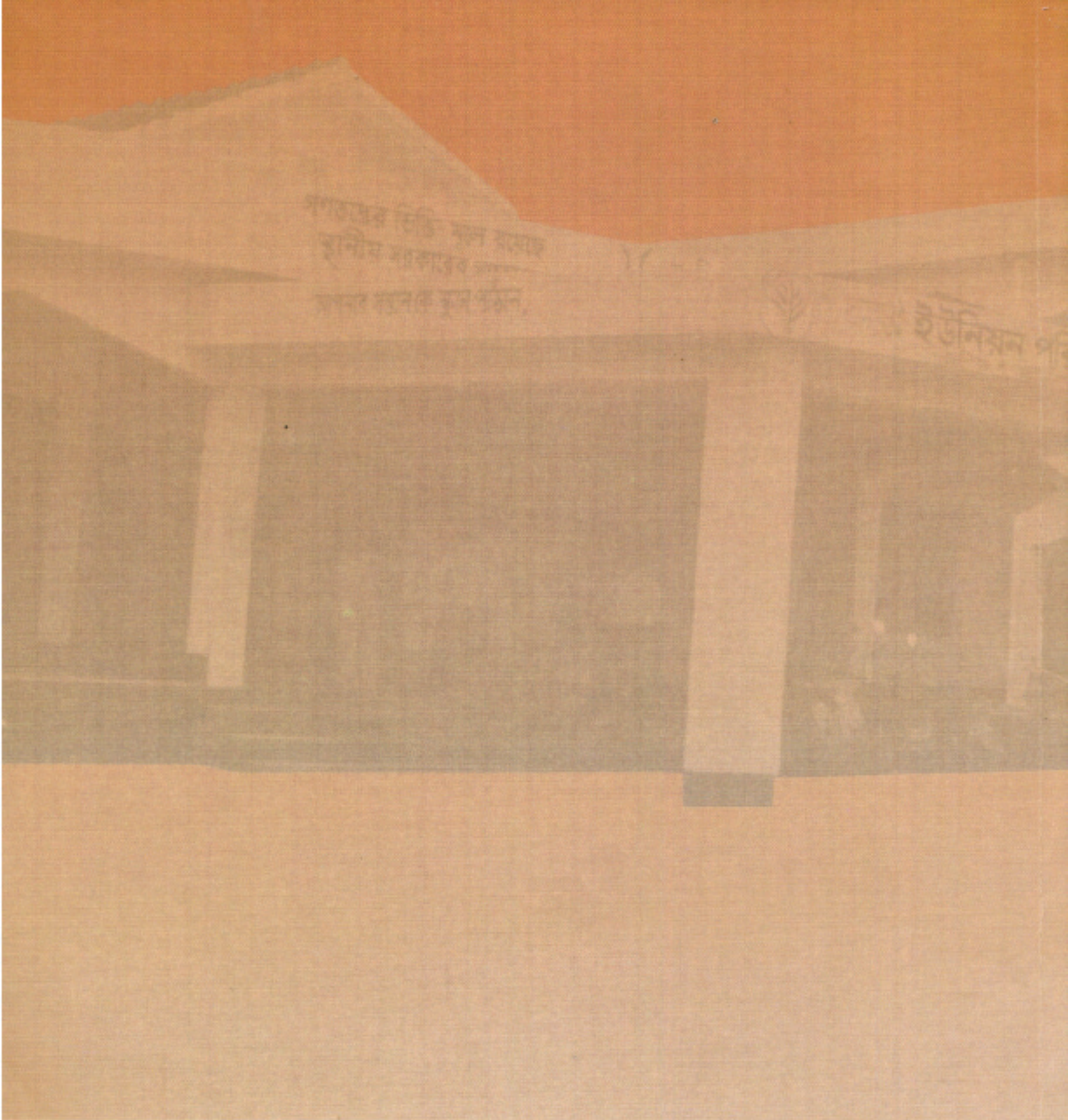
Note 9A: Training evaluation poster

Very satisfied



Very disappointed





 Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Agency for Development
and Cooperation SDC



Canadian International Development Agency
Agence canadienne de développement international



**World Bank
Institute**

