



*Research & Documentation Centre*

*Completion Report of YASHADA's Training on*

*Maharashtra Right to Information Act, 2002*

*For Information Officers & Appellate Authorities*

*Prepared By*

*Right to Information Cell*

*Submitted To*

*General Administration Department, GoM*

*August 2004*

## *Right to Information Team at YASHADA*

### *Vision & Leadership*

Shri Ratnakar Gaikwad, IAS  
Director General

### *Guidance & Support*

Capt. A. V. Deshpande, IAS (Retd.)  
Deputy Director General (Administration)

Prof. K. S. Nair  
Deputy Director General (Research)

### *Special Support*

Shri Prakash  
Kardale  
Senior Editor,  
The Indian  
Express

### *Right to Information Cell*

Shri Sumedh Gurjar  
Assistant Professor & Head

Ms. Kishori Gadre  
Assistant Professor

Shri S. G. Waidande  
Research Officer

Ms. Jayashree Tadelkar  
Research Officer

## *Table of Contents*

| <i>Section</i>   | <i>Page</i> |
|--|-------------|
| 1. Executive Summary   | 03          |
| 2. Introduction & Background   | 04          |
| 3. Right to Information Cell at YASHADA                              | 05          |
| 4. YASHADA's Design of Training for RTI                              | 05          |
| 5. State Level Training Workshops                                    | 06          |
| 6. ToT for Members of RTI Divisional Councils                        | 07          |
| 7. Divisional Training Workshops                                     | 07          |
| 8. RTI Training under the State Action Plan                          | 08          |
| 9. Collection of Feedback through Training                           | 09          |
| 10. Informative Booklets on RTI                                      | 09          |
| 11. Action Research on RTI   | 09          |
| 12. Media Programmes on RTI  | 09          |
| <br>Annexes :  |             |
| Annex-I : PowerPoint Presentation made on 27 <sup>th</sup> Feb. 2004 | 11          |
| Annex-II : Policy Circular for Setting Up Right to Information Cell  | 37          |
| Annex-III : YASHADA's Design of Training for RTI                     | 40          |
| Annex-IV : YASHADA's Training Material on RTI                        | 46          |
| Annex-V : Prog., Topics & Speakers for State Level Workshops         | 114         |
| Annex-VI : Prog., Topics & Speakers for ToT Workshop                 | 125         |
| Annex-VII : Prog., Topics & Speakers for Divisional Workshops        | 128         |
| Annex-VIII : Participant's Feedback & FAQs                           | 135         |
| Annex-IX : Proposal for a Pilot Project in One District              | 157         |
| Annex-X : CD of YASHADA Television Programme on RTI                  | 193         |

## 1. *Executive Summary*

On 27<sup>th</sup> February 2004, a meeting of Hon. Chief Minister and noted social worker Shri Anna Hazare along with many Ministers, Secretaries and other dignitaries took place at YASHADA. The purpose of meeting was to chalk out a time-bound Action Plan for facilitating effective implementation of the Maharashtra Right to Information Act, 2002. In this meeting, a need for extensive training of Public Information Officers (PIOs) and Appellate Authorities (AAs) appointed under this Act was emphasized, and the responsibility of conducting such training was entrusted to YASHADA.

YASHADA happily took up this cause and a special Cell for Right to Information was instituted at YASHADA on 1<sup>st</sup> March 2004. It was decided that a two-days interactive training workshop for PIOs and AAs would be organized at YASHADA for each Revenue Division of Maharashtra. Six such workshops were conducted during March to May 2004 covering about 250 PIOs and AAs from various Government Departments and Local Self-governance Bodies such as Municipal Corporations / Councils and Zilla Parishads. The workshops yielded highly encouraging results as a positive attitudinal change was evident among the officers who underwent YASHADA's training. A unique combination of experienced administrators and eminent journalists, social workers, law experts and academics serving as the guest faculty was a key factor in the success of YASHADA's training on RTI.

YASHADA then decided to reach out to a larger number of PIOs and AAs at the Divisional and District level offices by way of organizing similar training workshops at the six Divisional Headquarters in Maharashtra. To create training expertise at the Divisional Level, a Trainer's Training workshop for the members of the six Divisional Councils for RTI was first conducted at YASHADA. The Divisional Workshops were organized during July and August 2004 in collaboration with the Divisional Commissionerates, covering about 650 PIOs & AAs. Thus within a period of six months, YASHADA trained about 1000 officers from all over the State. YASHADA now wishes to take the training process to the district level.

Besides sensitizing the officers, YASHADA's training has served to generate a great amount of feedback on the legal, administrative and operational problems associated with the implementation of the Act. YASHADA is committed to bringing these problems to the notice of the State Government so that the necessary corrective / promotive measures could be taken to strengthen this law in the State. Along with training, YASHADA has also designed two informative booklets on RTI, one for the citizens and the other for the PIOs and AAs. YASHADA plans to reach out to nearly 45,000 villages of Maharashtra through these booklets. YASHADA is also making an effort to take the message of RTI to some 2,50,000 functionaries of Panchayat Raj Institutions all over Maharashtra by way of including RTI as a major theme in its training under the State Action Plan. During this training process, it was realized that there was a need to help out various Departments in organizing their information and in publishing it *suo moto* as per Section 4 of the Act. YASHADA has thus planned to conduct Department-specific workshops to address this issue. Finally, YASHADA wants to demonstrate a Model of implementation of RTI in one district of Maharashtra through intensive efforts of training, sensitization, facilitation, monitoring, etc., continuously for a period of two years. YASHADA has chosen Ahmadnagar district for this purpose, and the Ford Foundation has agreed to provide financial support for undertaking these activities.

## 2. *Introduction & Background*

Right to Information is among the fundamental rights of citizens of any democratically governed Nation State. It acquires special importance in a Representative Democracy, where citizens are supposed to make 'Informed Opinions' about the process of governance. The Constitution of India endows the Freedom of Expression to its citizens so as to ensure their participation in the governance. Right to Information thus forms an integral and indispensable element of the Freedom of Information.

Right to Information is a relatively recent phenomenon in India. The Central Bill on Freedom of Information was passed in 2000, although the Rules under the Act are yet to be finalized. The Maharashtra Right to Information Act (MRTI) was first passed in year 2000. However, eminent citizens and social workers felt that the Act was not adequate to translate this fundamental right endowed to the citizens by the Constitution of India into actual practice. The State Government then constituted an expert committee consisting of senior bureaucrats, law experts, journalists, etc., to prepare a fresh draft of the Act. The present Act was passed in September 2002, while the final notification of the Act came in August 2003. MRTI Act is considered as one of the best State Acts on Right to Information. In fact, experts believe that it is among the finest Acts on this subject in the whole World. A rigorous improvisation upon the previous Act through participation of civil society representatives has made the Act indeed people-centric, with a potential to bring about a fundamental transformation in the public administration and governance in the State.

Although the MRTI Act came into existence, numerous difficulties were faced in translating the law into the practice. The law came as a surprise to a bureaucracy used to working under the paradigm of Official Secrets Act, 1923. Even to the citizens, the idea was new and there was a lot of skepticism about its practicability. There was also a fear that the information would be misused by the anti-social elements. Thus a great need was felt for sensitizing and training both the officials as well as the citizens, and facilitating a dialogue between various stakeholders of MRTI, before the Act could be implemented effectively. It was realized that this Act, being a class of its own, would require patient efforts of educating the officers as well as citizens, if the Act is to get implemented effectively.

To address to this felt need, a meeting of Hon. Chief Minister and noted social worker Shri Anna Hazare took place at YASHADA on 27<sup>th</sup> February 2004, where a time-bound plan of implementation of the Act was presented by YASHADA. A copy of the Presentation is enclosed as **Annex-I**. It was also decided to set up a 'Right to Information' Cell at YASHADA to undertake systematic training of the Information Officers (IOs) and Appellate Authorities (AAs) designated at various Government offices all over the Maharashtra and at various levels such as the State, Division, District, Block, etc. The said Cell would also conduct rigorous research and documentation on various issues related to the Act and its implementation, monitoring and social impact.

### 3. *Setting up a Right To Information Cell at YASHADA*

A Right To Information (RTI) Cell was set up at YASHADA on 1<sup>st</sup> March 2004 in order to undertake various activities such as training, research, documentation, dissemination, etc., for supporting the process of implementation of the Right to Information Act in Maharashtra. The Cell would also serve as a common platform for citizens and officials to come together, share their views and experiences and work towards a shared vision of implementation of RTI in the State. A Policy Circular issued by the Director General, YASHADA for setting up the RTI Cell. The same is enclosed as **Annex-II**.

### 4. *YASHADA's Design of Training for RTI*

YASHADA's training programmes on RTI were designed using the scientific methodology of Design of Training (DoT) evolved by the DoPT, GoI. Care was taken to ensure representation of both bureaucracy as well as civil society in the training programmes. The experts called to conduct training sessions were from varied fields such as law, media, administration, activism, management, etc. The emphasis was maintained on interactive methods of learning such as group discussions, role-play games, exercises, etc. Besides bare provisions of the Act, the training design also included the Historical Background of RTI at the international, national and State level, the Constitutional Base for recognition of RTI as a Fundamental Right, the importance of *suo moto* disclosure of information, Action in Good Faith, Speaking & Reasoned Orders, etc. A copy of the Training Module is enclosed as **Annex-III**.

### 5. *State Level Training Workshops*

As per the time bound training programme chalked out the meeting on 27<sup>th</sup> February 2004, the RTI Cell organized two-days training workshops at YASHADA for Information Officers and Appellate Authorities from various Revenue Divisions of Maharashtra. The workshops were also attended by some representatives of the citizens. The first workshop was inaugurated and addressed by Shri Anna Hazare. Eminent experts in the field of Right to Information such as Shri U. C. Sarangi, IAS, Commissioner, Cooperation, Col. Ramesh Vasudevan, Member, State Council for RTI, Shri Prakash Kardale, Senior Editor, Indian Express, Smt. Vaijayanti Joshi, Principal, ILS Law College, Pune, etc., served as the Guest Faculty for the workshop. Some reshuffling of originally proposed dates of the workshop was warranted by the General Elections held in the State during the month of April, 2004. The details of the workshops conducted so far are as below.

| <b>Sr.</b>   | <b>Revenue Division</b>                        | <b>Date of Training Workshop (2004)</b>   | <b>No. of Participants</b> |
|--------------|--|---|----------------------------|
| 1.           | Pune   | 22 <sup>nd</sup> & 23 <sup>rd</sup> March | 59                         |
| 2.           | Nasik  | 24 <sup>th</sup> & 25 <sup>th</sup> March | 53                         |
| 3.           | Kokan  | 8 <sup>th</sup> & 9 <sup>th</sup> April   | 40                         |
| 4.           | Nagpur & Amaravati                             | 28 <sup>th</sup> & 29 <sup>th</sup> April | 15                         |
| 5.           | Nagpur & Amaravati*                            | 24 <sup>th</sup> & 25 <sup>th</sup> May   | 56                         |
| 6.           | ToT for Members of Divisional Councils for RTI | 28 <sup>th</sup> & 29 <sup>th</sup> June  | 20                         |
| <b>Total</b> |  |   | <b>243</b>                 |

\* The workshop for Nagpur and Amaravati Divisions was organized once again on 24<sup>th</sup> and 25<sup>th</sup> May 2004 at YASHADA, so as to ensure adequate participation of officers from these two Divisions.

YASHADA has received a feedback from the citizens that the training programmes are making a visible impact in terms of positively transforming the attitude and enhancing the performance of the Information Officers. Details of the programme, speakers & participants for the State level workshops are enclosed as **Annex-IV**.

## 6. *Training of Trainers Workshop for Members of RTI Divisional Councils*

Encouraged by the success of State Level Workshops, YASHADA decided to reach out to the Divisional level to train a larger number of officers. It was decided that the training workshops would be organized at six Divisional Headquarters in the State. Help and support of Divisional Commissionerates was sought to organize the programmes. The Chief Secretary kindly issued a letter to all Divisional Commissioners requesting them to take personal interest in the organization of the Divisional Workshops.

A major hurdle in the way of Divisional Workshops, however, was the availability of adequate training expertise at the Divisional level. It was not practicable for YASHADA to request its panel of experts to travel all over the State to conduct the workshops. YASHADA then decided to conduct a Training of Trainers (ToT) workshop for the members of the six Divisional Councils for RTI set up under the leadership of Divisional Commissioners. The idea was that these members would in turn serve as experts for the Divisional workshops, and also facilitate their overall planning and organization in coordination with the Divisional Commissionerates.

A ToT workshop for the members of Divisional Councils was organized at YASHADA on 28<sup>th</sup> & 29<sup>th</sup> June 2004. Justice Tipnis (Justice of the High Court and the first Lokayukta to function as the Second Appellate Authority under the MRTI Act, 2002) kindly inaugurated and addressed the workshop. The workshop was quite successful in terms of motivating the members of the Divisional Councils and seeking their active participation in the Divisional workshops. Details of the programme, speakers & participants for the workshop are enclosed as **Annex-V**.

## 7. *Divisional Training Workshops*

The Divisional Workshops were organized in collaboration with the Divisional Commissionerates and through active participation of the members of Divisional Councils. In each Division, two One-day workshops were organized for Information Officers and Appellate Authorities from Divisional offices and some District level offices. YASHADA officers participated in all workshops to ensure proper coordination of all aspects of the

workshop. Similarly, YASHADA provided financial the necessary assistance to the Commissionerates for organization of the programmes.

| <b>Sr.</b>   | <b>Revenue Division</b> | <b>Date of Training Workshop (2004)</b>    | <b>No. of Participants</b> |
|--------------|-------------------------|--|----------------------------|
| 1.           | Nasik                   | 13 <sup>th</sup> & 14 <sup>th</sup> July   | 108                        |
| 2.           | Pune                    | 16 <sup>th</sup> & 17 <sup>th</sup> July   | 89                         |
| 3.           | Kokan                   | 21 <sup>st</sup> & 22 <sup>nd</sup> July   | 101                        |
| 4.           | Aurangabad              | 27 <sup>th</sup> & 28 <sup>th</sup> July   | 178                        |
| 5.           | Nagpur                  | 10 <sup>th</sup> & 11 <sup>th</sup> August | 98                         |
| 6.           | Amaravati               | 12 <sup>th</sup> & 13 <sup>th</sup> August | 122                        |
| <b>Total</b> |                         |  | <b>696</b>                 |

Details of the programme, speakers & participants for the State level workshops are enclosed as **Annex-VI**.

#### *8. RTI Training for Panchayat Functionaries under the State Action Plan*

Under the State Action Plan (SAP), YASHADA has undertaken organization of outreach training programmes for nearly 2,50,000 Gram Panchayat members all over Maharashtra. The training is multifaceted and includes an arena of issues related to empowerment and development of rural local self-governance bodies. YASHADA has included the Right to Information as an important theme in the training under SAP. In the first phase, YASHADA is conducting ToT programmes for the District and Block level officers where a detailed session is dedicated to the Right to Information. These trained officers are in turn expected to take the message of RTI to the village level functionaries of the Panchayat Raj Institutions. As a result, nearly 2,50,000 Panchayat Members will receive training in RTI during next tow years.

### 9. *Collection of Feedback through Training*

YASHADA has been carefully documenting the experiences and feedback of participants of the RTI training workshops regarding various provisions of the RTI Act. Similar feedback is being sought from citizens at large. Based on the analysis of such feedback, YASHADA is trying to locate the 'problem areas' in the implementation of the Act, where there is a need for further strengthening of the Act. The documentation will be submitted to the State Government for the necessary action and follow up. A collection of Frequently Asked Questions (FAQs) is enclosed as **Annex-VII**.

### 10. *Informative Booklets on RTI*

YASHADA has undertaken preparation of two booklets on RTI, the one contains a compact collection of basic information and the other contains a detailed discussion of various issues and dimensions of RTI. The necessary essays / articles have been invited from eminent authors and the first draft of both the documents should be ready by 31<sup>st</sup> August 2004.

### 11. *Action Research on RTI*

YASHADA has planned an intensive facilitation, monitoring, evaluation and documentation of the implementation of RTI Act in one district of Maharashtra through an Action Research Project. The project will involve besides the district administration machinery, the NGOs, Consumer Organizations, Citizens Groups, etc. The project is aimed at evolving a replicable and up-scalable model of an ideal implementation of RTI. YASHADA has prepared a detailed project proposal and submitted to the Ford Foundation, New Delhi for a possible financial assistance. A copy of the Project Proposal is enclosed as **Annex-VIII**.

### 12. *Media Programmes on RTI*

While doing training of officers, YASHADA also realized the need for reaching out to the general public for spreading awareness about RTI. YASHADA thus organized a Television programme on RTI, where Shri Anna Hazare, Shri Ratnakar Gaikwad, IAS and

Shri Umesh Chandra Sarangi, IAS held a detailed discussion on various aspects of RTI. The discussion was actively facilitated by Shri Prakash Kardale. Similarly, YASHADA organized a public discussion on RTI through Akashwani. Shri Anna Hazare, Shri Ratnakar Gaikwad, IAS, Shri Satyaranjan Sathe and Shri Prakash Kardale gave speeches on important aspects of RTI followed by an active session of questions and queries raised by the citizens attending the programme. A CD of the Television programme is enclosed.