

PEOPLE'S RTI ASSESSMENT 2008

AN OUTLINE

A. Goal

To strengthen the RTI regime¹ in India

B. Objectives

1. To assess the use and implementation of the RTI act in India, especially regarding:
 - a. Public awareness about the act and its relevance and uses
 - b. Governmental and other efforts to promote such an awareness and facilitate public use of the act
 - c. The willingness and preparation of the government, and other public authorities, to promote access to information
 - d. The challenges and constraints, if any, that the public faces in accessing information under this act.
 - e. The challenges and constraints, if any, that the government and other public authorities face in promoting access to information under this act.
 - f. Conformity with the act of various public authorities, especially in terms of voluntary (pro active) disclosure of information
 - g. The role of the appellate authorities in ensuring timely access to information
2. To assess the role played by various stakeholders in establishing and strengthening the RTI regime.
3. To determine priority future actions to make the RTI regime stronger in India.
4. To develop a replicable assessment methodology and a sustainable process for participatory and transparent assessments.

C. Methodology and Coverage

The People's RTI assessment 2008 uses the RTI act to access the information required to assess the act. It is perhaps the first national level study being done where the RTI act is itself being used as an important method of getting the information that is required for assessing the implementation of the RTI Act.

It also uses a three pronged methodology to try and get to the truth. For one, it collects primary data from citizens, applicants, appellants, public authorities and

¹ The term “regime” is purposely being used as we propose to go beyond the RTI law and look at the role and contribution of institutions and stakeholders not covered under the law – like the media and NGOs.

governments, regarding different aspects of the use of the RTI act. This is one part of the primary data collection.

At the same time, the research team files its own RTIs at villages, subdivisions, districts states and up to the central government level. In this way, it can independently have the experience that citizens have in locating the PIO, filing the RTI, getting the information, and filing appeals where necessary. The research team also examines records and inspects public authority premises to check signs and facilities provided by public authorities to help those wanting to file RTI applications.

A third part of the methodology is to trace all the RTI applications filed (over 500) from village level to the national government level. The progress of these applications is monitored and an interesting analysis emerges on how long it takes for different public authorities to respond, how many of them respond at all, how many refuse information, and how effective is the appellate mechanism.

Research Questions

1. Do people see access to information as an important means to addressing their most pressing problems?
2. What proportion (and segment) of the population knows about the RTI act and its significance?
3. How did they learn about it?
4. What proportion (and segment) of the population have used the RTI Act?
5. What type of information was sought, from whom, and why?
6. What effect, if any, has the use of the RTI Act had on their lives?
7. What was their experience in accessing information? What, if any, were the constraints?
8. What has been the role of the various authorities in promoting the use of the RTI Act?
9. What constraints, if any, are faced by the various authorities in implementing the RTI act?
10. What has been the role of other stakeholders?
11. How can the RTI regime be strengthened?

Study Components

Rural and Urban Survey

1. Survey of village communities-through focus group discussions (approximately 500 focus group discussions in 240 villages in 30 districts, 3 in each of the 10 sample states.)
2. Urban populations - Through street corner interviews (15,000 people in 10 state headquarters and in Delhi) and focus group discussions (in 120 municipal wards in 30 district headquarters)
3. Applicants – rural and urban surveys (a total of 6000 applicants)

4. Appellants/ Complainants – rural and urban surveys (a total of 2000 appellants/complainants)
5. Public Authorities– rural and urban surveys (1715 public authorities)
6. Public Information Officers– rural and urban surveys (1715 PIOs)
7. Heads of Office– rural and urban surveys (210 HoDs)

Desk Research Component

1. Information Commissions – Desk research, through filing postal RTIs, and through interviews
2. Competent Authorities - Desk research, through filing postal RTIs, and through interviews
3. Judiciary – Desk research
4. Parliament and State Legislatures – Desk research and through filing postal RTIs
5. Media – Desk survey of publications, interviews
6. NGOs – Desk research, survey of websites
7. Corporate Sector and Private Bodies - Desk research, survey of websites, interviews
8. International Organisations and the Donor Community - Desk research, survey of websites, interviews

Case Studies on:

1. Innovative uses of the RTI
2. Human interest cases
3. Amusing and humorous cases
4. Extraordinarily effective uses
5. Use by weaker segments of the society/ special groups
6. Individuals who have used the RTI extensively
7. Use of the RTI relating to a special class of issues
8. Extraordinary groups and organizations using or facilitating the use of the RTI
9. Government departments and other public authorities who have made an extraordinary effort to promote the RTI
10. Individuals within the government and other public authorities who have been innovative or exceptional in promoting the RTI

Analysis of

1. Orders of the information commissions
2. Rules made by different competent authorities and appropriate governments
3. Court decisions on RTI

Compilation of

1. Newspaper clippings and media reports
2. Orders of the Information Commissions
3. Case studies and RTI related stories and experiences

4. Research documents and findings
5. Data and statistics related to RTI
6. Other miscellaneous documentation and information

D. Process Documentation

The planning and implementation process of this assessment would be documented in detail and put in the public domain so that it not only becomes available for public scrutiny but also can be used by others who are undertaking similar assessments.

E. Developing a Replicable Methodology

One outcome of this assessment is a tried and tested assessment methodology that is replicable by others in India and elsewhere.

F. Timelines

- Preparation, design, planning and training 15 March to 30 May 2008
- Rural surveys June – August (November) 2008
- Urban surveys September - November 2008
- Survey of Information Commissions, Competent Authorities and other stakeholders 1 June to 15 December 2008
- Collation of interim data 30 September – 10 October 2008
- First report on 13 October 2008 (Third annual anniversary of the RTI Act)
- Compilation of final data – December 2008 – January 2009
- Final report by 31 January 2009

G. Expected Outcomes

- A report of the findings
- A set of recommendations
- A publication (and an annotated CD) of case studies
- A compilation of papers and documents
- An RTI portal with all the data and material collected during the assessment, and much else
- A methodology manual
- A process document
- A network of RTI assessors