

Stop-and-go: Use of RTI in Bangladesh

SHAMSUL BARI and RUHI NAZ

INTERNATIONAL observers who follow global trends on the progress of transparency and accountability instruments, such as Right to Information (RTI) or Freedom of Information (FOI), which have witnessed phenomenal growth in the last three decades, are often asked if the laws have fared well in their new abodes with varying levels of democratisation.

One way of observing the progress of the law in any country is to assess existing trends and the nature of its use.

The decisions of the Information Commission (IC) are a good indicator of the state of RTI in Bangladesh. A random selection of all the IC decisions made in 2018 provides a flavour of the types of RTI requests made by citizens and the authorities to whom they are made. They also indicate how receptive—or not—the authorities are to citizens' requests for information.

The decisions also serve as a yardstick to assess the approach of the IC in dealing with issues raised in the complaints, as well as how it applies the provisions and objectives of the law.

A quick glance at the decisions show that the majority of RTI users in the country continue to see the law primarily as an instrument to obtain information for personal needs or to

unearth the wrong-doings of public authorities. In other words, their main focus is on the transparency and accountability objectives of the law.

That the law has many other uses beyond these objectives appears to be lost on our citizens. These are only the tip of the iceberg. Underneath it lies a whole range of functions which include extending the knowledge base of citizens on important national issues and developing closer interaction between citizens and the government. They may or may not be directly related to transparency and accountability but are nevertheless very important objectives.

We shall cite only three decisions here. Readers may wish to look up their fuller versions and other decisions from the IC at the commission's website.

In decision number 08/2018, the applicant asked the Designated Officer (DO) of Bangladesh Livestock Research Institute for information relating to the appointment of a Procurement Officer for the institute. He sought copies of the advertisement for the post, where and when it was published, photocopies of exam papers of candidates and other relevant documents.

Not receiving a response from him, the applicant appealed to the Appellate authority of the institute, following which the DO asked him to reapply, since the font of his email application was apparently broken in

transmission. The applicant refused this argument and complained to the IC for relief.

After listening to the arguments of both sides, the IC simply directed the institute to provide the information sought by the complainant minus the photocopies of the papers of all examinees. These could not be provided as the applicant himself was not an examinee, and had no right to see the written papers of other examinees, which are their intellectual property.

In decision number 09/2018, the applicant asked the Office of the Divisional Customs and Bond Commissionerate, Savar, Dhaka, for various information dating as far back as ten years, which included the number of vehicles seized for illegal transportation of goods from the premises of various authorities, the names of the owners of the vehicles, particulars of the vehicles and the dates of their seizure. He also wanted to know where the seized vehicles were kept, whether cases were filed in accordance with Customs rules, whether the vehicles were released after payment of fines, the amount levied and the section of the law under which they were released.

Not receiving a response, the applicant appealed to the appellate authority of the institution, which too did not respond. He, therefore, complained to the IC which summoned the parties to a complaint

hearing.

At the hearing, the DO of the Commissionerate claimed that he was new to the post and discovered only recently that his office began recording information, as required under RTI regulations, only four years ago. As such, he would be able to provide the information for those four years only. Based on this assurance, the IC directed him to do so accordingly, overlooking the penalty prescribed by the law for non-response to RTI requests in time.

This is another proof that in the overwhelming number of complaints filed with the IC, where DOs agree to provide the requested information only at the hearing, they go away unpenalised for not doing so in time. The prevalence of this practice since the beginning appears to have emboldened institutions to disregard RTI requests unless compelled to do so.

In decision number 20/2018, the applicant requested the Headmaster of a Government High School to provide the annual statement of income and expenditure of the school for years ranging from 2012 to 2017; list of students admitted for 2016-17 school year; vouchers for all expenses incurred in 2016-17, and the list of all teachers of the school.

As usual, not receiving a response within the stipulated period, the applicant appealed to the appellate authority which too did not respond. So, he complained to the IC.

At the complaint hearing, the headmaster stated that the accounts of the school were regularly audited by the appropriate government authority and he had no problem to share them with the applicant. But the applicant, who is a local journalist, is known for abusing his background to extort money from different sources. He was nevertheless called over the phone and asked to deposit the required government fees to obtain the information and come personally to fetch them. As he failed to do so, the information could not be provided.

The Commission took the position that as the headmaster was unable to produce a copy of his letter asking the applicant to deposit the required government fees and as the right place for dealing with his allegations against the complainant was the court of law, he should respect the right of the applicant to seek and obtain the requested information, except for the list of students, which may affect their personal security.

The three examples reveal the general tendency of the authorities to disregard RTI requests till forced to do so at the complaint hearings. It is, however, unclear if the information is made available even after the IC's directives. The IC may wish to look it up and develop an effective follow-up mechanism.

The third case also demonstrated a non-partisan position taken by the IC

in the face of conflicting claims. Its position in favour of the applicant belied its earlier reputation of being more deferential towards public officials than ordinary citizens. The continuation of such a trend will enhance the prestige and credibility of the IC.

Citizens must, however, also realise that there are greater uses of the law than simply to seek transparency and accountability in the work of public offices. If the latter remains the main focus, and naming and shaming of public officials is seen by the latter as the key motive for RTI users, progress is bound to be adversely affected. Citizens' fear of retributory action by public officials faced with probing RTI requests and the latter's perception that the law is primarily used to harass them is not healthy for the system. We must come out of this quagmire.

It is time, therefore, that citizens are made aware of the broader scope of the law and its application. On our part, we have tried to do so through our columns in this newspaper, in particular the one published on November 15, 2018 under the title: "The many uses of RTI: Our imagination is the limit." We invite others to reflect on the matter

Shamsul Bari and Ruhi Naz are Chairman and RTI Coordinator respectively at Research Initiatives, Bangladesh (RIB). Email: rib@citech-bd.com

Why are university graduates failing to meet market needs?

Universities in Bangladesh should introduce job-oriented curricula and identify the skills required by employers

KHALID HASAN

WITH 41 public and 103 private universities having more than three million students (around 28 lakh students in public universities and 3.37 lakh students in private universities as per the Annual Report 2016 of the UGC)—greater than the population of some countries—Bangladesh's tertiary education system is one of the most overcrowded in the world. However, the highly educated in the country have fewer chances of employment today.

A Dhaka based non-government organisation known as the Center for Development and Employment Research (CDER) published a report titled "Bangladesh Employment and Labor Market Watch 2018" which shows that youth unemployment rate in Bangladesh is the highest among graduates with a tertiary degree. The unemployment rate among those with graduation and post-graduation degree rose to 16.4 percent in 2013 compared to 9.9 percent in 2010 (Bangladesh Employment and Labor Market Watch 2017). Even though the rate came down to 12.1 percent in 2016, a significant percentage of the highly educated youth are still unemployed (Bangladesh Employment and Labor Market Watch 2018).

The Annual Report 2016 (the latest annual report found in UGC's website) reveals that 34 public universities and 95 private universities excluding the colleges affiliated with the National University, Open University and Islamic Arabic University are providing tertiary education to some 601,241 students. According to the report, 125,131 students have been enrolled under arts and humanities and social science disciplines, 150,577 students under science, 12,627 students under pharmacy, 10,300 students under medical, 24,188 under agriculture, 152,214 under engineering and technical disciplines, 147,714 students under business studies, 4,650 students under education, 31,222 students under law, and 15,806 students under diploma/certificate programmes and other courses.



SOURCE: CSE.DU.AC.BD

What is more, the National University alone is providing tertiary education to some 2,300,053 students which is about nine times that of 34 public universities combined and seven times that of 95 private universities. Some 668,824 students are under arts and humanities, 745,025 students under social science disciplines, 215,441 students under science, agriculture, medical and technical disciplines, 650,608 students under business studies, 512 students under education, 14,819 students under law, and 4,824 students under diploma/certificate programmes and other courses (Annual Report 2016, UGC).

There are four major approaches to educational planning: social demand approach, social justice approach, rate of return approach and manpower planning approach.

The social demand approach is more prevalent in the planning of primary, secondary and higher secondary level

education through which the government makes decisions regarding schools and facilities for all students who demand admission.

Tertiary education is strongly vocationally or professionally oriented and requires adequate financial, academic and human resources. The manpower planning approach, on the other hand, prioritises human resources using the limited financial resources in an optimum way so as to produce students who can fulfil the demands of the employment sector.

It seems the country is following the social demand approach instead of the manpower planning approach in the development of tertiary education. The report of the UGC proudly mentions that the number of seats available in tertiary education institutions is higher than the number of students passing the higher secondary level.

However, the unfortunate reality is that graduates coming out of the conventional

education system cannot meet the demands of today's world of business and development. The training given to students in universities is not focused on the industry's requirements. As a result, corporate bodies and factory owners are forced to bring in personnel from overseas. They allege that there exists a dearth of technical, professional and language skills that are regarded as prerequisites in the fast-changing job market in the era of the fourth industrial revolution.

Many foreigners are currently working in different multinational companies, readymade garment companies, pharmaceutical companies or in other economic sectors in Bangladesh. Home Minister Asaduzzaman Khan Kamal gave an account in the parliament back in February 2018 of how many foreigners work in Bangladesh. According to his estimates, some 85,486 foreigners work in the country and around half of them are Indians (Prothom Alo, April 17, 2018).

Foreigners mainly work in the production management of factories, management of machinery, quality control and mid-level management of organisations. Many foreigners also work in merchandising and buying houses of the readymade garment sector. Besides they work in the technical and product manufacturing process in export processing zones. Along with this, foreigners are sometimes hired for the post of managing director and director of major MNCs in Bangladesh. According to a recent study by the Centre for Policy Dialogue (CPD), foreigners are working in 24 percent of garment factories in the country. More than 70 percent of managerial posts of organisations in the plastic industry have been given to foreign nationals.

RMG, foreign remittance, and agriculture are considered key sectors of the economy. All three sectors more or less hinge on unskilled and semi-skilled manpower. Experts and economists have already begun to sound alarms about

China's massive investments in capacity building and infrastructure development projects integrating RMG industries in African countries which may create challenges for Bangladesh's RMG in the near future. Moreover, the economic consequences of the Arab Spring have already proved to be one of the biggest threats to the country's international remittance share.

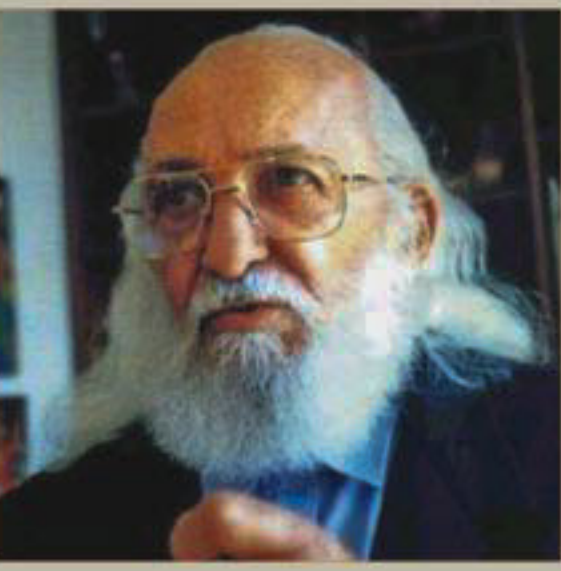
At a time when the country is facing a certain level of "credential inflation" (devaluation of educational or academic credentials over time and a corresponding decrease in the expected advantage for a degree-holder in the job market) in arts, humanities, social sciences, business studies, and other disciplines, sectors such as RMG, plastic, manufacturing industries, medical, education, ICT and development lack skilled human resources.

In today's world, the role of universities cannot only be limited to imparting knowledge but it must also introduce job-oriented curricula and skills-based training in order for students to be successful in their careers. Traditional graduation programmes should prepare young people for the job market—both in Bangladesh and abroad.

Universities should identify the skills that are required by corporate bodies for employability both at home and abroad. Universities should equip their students with these skills, attitudes and abilities so that graduates are confident going into the job market. More experimentation and research are needed to identify the shortcomings in university curricula in order to make tertiary education more effective in creating skilled manpower. The gap between education and employment can be closed through employer engagement in education and training. In order to address these challenges, the government and other stakeholders need to establish a close link between employers and universities.

Khalid Hasan is a graduate student of the Department of Educational Administration at the Institute of Education and Research, Dhaka University.

QUOTABLE Quote



PAULO FREIRE
(1921-1997)
Brazilian educator and philosopher

Washing one's hands of the conflict between the powerful and the powerless means to side with the powerful, not to be neutral.

CROSSWORD BY THOMAS JOSEPH

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| ACROSS | 29 Follow | 8 Grammar topic |
| 1 Banana-shaped fruit | 32 High trains | 9 Fax's forerunner |
| 6 Champagne choice | 33 Pointer | 11 Lemon and melon, e.g. |
| 10 Friendly senorita | 34 One-celled organism | 15 Writer Rita -- Brown |
| 11 Spring up | 36 Tag info | 17 Keyboard part |
| 12 When pigs fly | 37 Coup group | 20 Hosp.workers |
| 13 Fleet-based | 38 So far | 21 Total |
| 14 Aphrodite's son | 39 Film prize | 24 Eye parts |
| 15 Run | 40 Ridiculous | 25 Nevada neighbor |
| 16 Topsy | 41 Stagger | 27 Pie -- mode |
| 17 Droop | 42 Syrian president | 28 Made like a geyser |
| 18 Superman foe | | 29 College study |
| Luthor | | 30 Entertain |
| 19 Runs playfully | | 31 Time being |
| 22 Alan of "M*A*S*H" | | 35 Listening abbr. |
| 23 Mystique | | 36 Some heirs |
| 26 Con artists | | 38 Acapulco aunt |

DOWN

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YESTERDAY'S ANSWER

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BEETLE BAILEY by Mort Walker

BABY BLUES by Kirkman & Scott