

Is RTI Act becoming popular in Bangladesh?

SHAMSUL BARI and RUHI NAZ

“YOU are really doing a great job,” said the Designated Officer (DO) of the District Social Welfare Office of Dinajpur. He was talking to a member of the public who had gone to his office to submit a Right to Information (RTI) request. “We, government servants,” he continued, “are paid from the public fund, so we must be accountable to the people. You should spread the word about people’s right to information all over the country. Most people do not know what this law is and how to use it.”

Another DO, the Assistant Commissioner (Land) of Charchat, Rajshahi, told an applicant: “I don’t know what my predecessors did in this office, but I am determined to rid it of its reputation of rampant corruption. You can help me do this. It is very important to bring us face to face with people. I am convinced that the more we learn about the law the more transparent government offices shall be.”

Participants at an RTI seminar in Dhaka on August 1 were both surprised and delighted to learn of such positive attitudes of government officials towards the RTI Act, 2009. Since the law came into force 10 years ago, stories abound of the irreverent and negative attitude of such public officials towards the law. Most felt it would cause them trouble and increase their workload unnecessarily. In comparison, these are happy tidings indeed.

The seminar was organised to disseminate the findings of a just-completed study by two leading NGOs of the country. The project was aimed at promoting RTI among different strata of society, increase its users and to bring them into closer contact with public authorities. In other words, building a bridge between the demand side and the supply side of the RTI regime.

There were, of course, many examples of extremely negative DO attitudes towards RTI applicants. Typical among them is the remark of the DO of “One Home, One Farm” project in Kaliganj Upazila, Satkhira District, who told an RTI applicant: “Why should I give you



information, who are you to ask for it?” The Headmaster of Zikra High School, in Rajshahi District, was harsher on an information seeker who had asked for some information on the school. “Who is instigating you to seek such information?” he asked. “Whoever is behind it must be looking to ruin your lives. You may not understand it now, but you will soon.”

RTI users are conversant with such remarks. Government officials seem unable to reconcile with the fact that there is a law now which gives citizens the right to demand from them all non-exempted information at their disposal, without giving any reason. They are unhappy that their earlier power to withhold any pertinent information from the general public has been revoked by the RTI Act. Some still do not know about the law or perhaps do not want to know. To implement RTI under such circumstances is indeed an uphill task.

The project reveals some light at the end of the proverbial tunnel. During the course of the one-year project, around 18,000 RTI applications were submitted to public authorities in four project districts—Rajshahi, Dinajpur, Naogaon and Satkhira. In the context of the annual average of slightly over 7,000 RTI applications throughout the country, it is remarkable that only two NGOs could generate more than double that figure and that too in a limited area. Around 61 percent of the applications got full or partial responses, perhaps indicating that public authorities are beginning to respond to citizens’ RTI requests as routine work. While this augurs well for the future of the regime, it is pertinent to ask if such progress can be sustained without continuous project support in the future and whether citizens would be less fearful to submit RTI requests without help from NGOs.

The report divided the RTI requests into three broad categories: i) those seeking primary information of a personal nature; ii) those seeking institutional accountability; and iii) those seeking transparency.

In the earlier years, RTI requests mostly belonged to the first category. They were made by members of marginalised communities, with assistance from NGOs, seeking to know how the government’s safety-net programmes were managed and how they could benefit from them. Findings under the project, however, showed that such applicants and others have upscaled their information requests by seeking information on matters relating to institutional accountability and transparency in the work of public bodies. They are increasingly asking for information on such matters as expenditure of local authorities on road-building, bridges, culverts, etc. This must be seen as significant progress.

Concerningly, the report reveals that 25 percent of the RTI requests received no response at all; pressure tactics were used to discourage appeals, especially those pertaining to transparency.

An encouraging claim of the report is that around 231 RTI activists emerged in the four project districts during the project period and around 2,200 persons were trained as RTI experts to help others use the law. If only a handful of them exercise their expertise properly, RTI in Bangladesh could be headed for better times.

But not everything was as rosy. The main gripes of many who participated in the project and those attending the seminar, appeared to be directed against the Information Commission (IC). Many felt that the main challenges for RTI users in the country could be minimised if the IC was less bureaucratic and more attentive to their concerns. The key issues identified by them for corrective measures by the IC included the following:

- i) The requirement to address RTI requests to specifically named Designated Officers

(DOs) must be removed. Many requests are rejected or returned simply because DOs could not be identified or were not appointed or changed frequently.

ii) The propensity of the IC to grill complainants with personal queries and/or asking for reasons for their requests at complaint hearings is disconcerting.

iii) The readiness of the IC to postpone complaint hearings when the DO is absent repeatedly and its disinclination to do so if an ordinary applicant is absent even once is discriminatory.

iv) The promises of DOs to provide the requested information only after directive of the IC at complaint hearings are often dishonoured. The IC must find a mechanism to stop this practice.

v) It is not uncommon for complainants to receive IC’s summons after the date of the hearings when it has already discharged the matter for non-appearance of complainant. This is most discouraging.

Reverting to positive developments, the project also witnessed a successful application of the law by citizens to seek information on hitherto uncharted areas. Participants were encouraged to focus RTI queries on the government’s implementation of the Sustainable Development Goals (SDGs) and Five-Year Plans. By asking for progress reports on them, RTI users not only enriched their own knowledge about the government’s development works, but also helped public officials to keep abreast of their status. It was thus mutually beneficial to both the demand and supply sides. It helped to minimise the fear factor which deterred citizens from making use of the law in the past.

The positive developments give rise to hope and underline the importance for all the stakeholders—citizens, public authorities and the IC—to work together to overcome the challenges that remain and reap the harvest of this very important law of the land.

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The second coming of Sonia Gandhi



PALLAB BHATTACHARYA

IN 2017, it was widely expected that the top leadership position of the Congress Party would be extended to a member of the Gandhi family.

As widely expected, it is a return to the Gandhi family as far as the Congress Party’s top leadership goes. On December 16, 2017, Sonia Gandhi handed over the baton of party president to her son Rahul Gandhi, after having held the post for a record number of 19 years. It signalled a generational shift in the party’s leadership. One had thought at that time that it was curtains for Sonia as party chief. But fast forward to August 10, 2019, 72-year-old Sonia was appointed as the interim president of the Congress to fill the void left by the resignation of Rahul, 49, in the wake of the party’s searing defeat in this year’s parliamentary elections.

So, has the clock been set back for the party? One thing was certain: the clock was ticking away for the Congress to resolve the top leadership crisis by deciding a replacement for Rahul. Since Rahul’s resignation on May 25, the Congress Working Committee, the party’s apex decision-making forum, huffed and puffed to resolve the leadership issue for the past two and a half months. For much of that time, the party’s rank and file kept pleading in vain to Rahul to reconsider his resignation and many in the party saw this as an exercise in futility.

Finally, on August 4, when the party, ending a prolonged suspense, went public with a date to choose a new chief, it revived almost immediately the tussle between the old guard and the young Turks within the Congress for a successor to Rahul. Names were bandied about but what clearly came out from the debate over Rahul’s successor was that it had to be someone from the Gandhi dynasty. And the story was no different on August 10 when the CWC met for 12 hours to pick the party’s new head. The top decision-making body went through the motion of setting up five separate committees

to elicit the views of the chiefs of the party’s units in different states, legislature party leaders, party’s national secretaries and lawmakers.

The feedback that came out of these consultations unambiguously favoured the continuance of Rahul as party chief. Rahul refused to budge from his decision to quit. A few in the CWC had suggested the name of Rahul’s sister Priyanka, but she refused to take on the responsibility. The general consensus emerging from the consultative process was that the party stood the risk of breaking up if anyone other than a Gandhi family member assumes the post of Congress president. It was clear that any name outside the Gandhi family would lead to a stalemate and tear the party apart. The CWC was, therefore, left with no alternative other than requesting Sonia to be the interim president. Sonia’s choice as the party president clearly reflected the Congress’ failure to look for someone from outside the Congress’ first family which continues to remain the unifying force for various factions in the party. Looking back, Rahul Gandhi’s loud proclamation that no member of the family would be the next party head, that came soon after his resignation on May 25,

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Interim Congress President Sonia Gandhi with her son Rahul Gandhi, former president of the party.

PHOTO: REUTERS

now rings hollow. It was a proclamation more out of frustration than conviction and went against the reality in the party.

The CWC decided that Sonia will be the interim president till organisational elections are held to find a full-time person for the post. But how long will the “interim” last? The process of party polls may take time and thereby seat Sonia as party chief for more than a year as the Congress may not like to go for the organisational polls anytime soon because of impending elections to legislative assemblies in Maharashtra, Jharkhand and Haryana due later this year, and in Delhi due February next year. These are the states which are ruled by the Bharatiya Janata Party which has already gained a head-start as far as preparations are concerned. These electoral battles will be among the first major challenges for Sonia upon her return to helm the party.

Sonia’s comeback as party chief may have put a lid on the young versus old debate within the party over party presidency. The

party’s former Mumbai city unit chief Milind Deora had pitched for young leaders like Sachin Pilot, Rajasthan Deputy Chief Minister, and Jyotiraditya Scindia, another gen-next leader from Madhya Pradesh. Party veterans like Amarinder Singh, lawmaker Shashi Tharoor and octogenarian Karan Singh had backed Priyanka Gandhi Vadra as the next party chief.

Tharoor stood out for making a strong case of holding elections to pick the new chief. Most of the other members of the party’s old guard were favourably disposed towards the suggestion of maintaining the generational change in their leadership and Sonia Gandhi’s return as president provided them with a big relief as it smothered whatever little chances there were for someone from outside the Gandhi clan to take charge. For instance, Amarinder Singh, Punjab Chief Minister, who was the first to call for a young leader to succeed Rahul, lost no time to welcome Sonia as interim head of the party saying this was


“the best under the circumstances because of the challenges” the Congress faces, particularly an existential crisis since the defeat in the recent national poll.

In the near-term, Sonia Gandhi faces the stern test of pulling Congress back up and reinvigorating it and making it battle-ready for the coming series of state elections. In the two and a half months since Rahul’s resignation, the party has been hit by several desertions in its rank and file including some senior leaders in Maharashtra and Assam, most of whom have joined the BJP. Most damaging for the party was the collapse of the coalition government in Karnataka as a majority of the lawmakers who quit the alliance with the Janata Dal (Secular) and reduced it to a minority were from the Congress. The Congress has been grappling with increasing drift since the electoral loss and Rahul’s resignation. Sonia Gandhi’s return as party chief may help halt that drift and prevent the exit of leaders from the party.


But what Congress needs perhaps more than its president, is a new ideological template to respond to the BJP’s vision of a “new India” being shaped by Prime Minister Narendra Modi and his confidante and Home Minister, Amit Shah, with strong underpinnings of nationalism in framing policies. Congress was unable to present a coherent counter to the BJP government’s decision to revoke Article 370 of the Constitution that gave a special status to Jammu and Kashmir. A number of Congress leaders, including Karan Singh, Janardan Dwidvi, Jyotiraditya Scindia and Deepender Hooda, went against the party’s stand in parliament on abrogation of Article 370 and backed the Modi government’s move and a bill to bifurcate the state. Officially, the Congress has strongly opposed the move and the bill to bifurcate the state into two Union Territories. This reflected the predicament of the Congress Party.

Clearly, there is a need for Congress to find a fresh face to refurbish its fragmented stances on major national issues and bring new blood in its leadership like the BJP had done soon after suffering defeat in the second successive parliamentary elections in 2009.

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