

# The RTI Act works

We just need to convince people to use it

SHAMSUL BARI and RUHI NAZ

THE importance of a robust Right to Information (RTI) regime for a healthy and vibrant democracy is universally recognised. However, in Bangladesh, the law is yet to capture the imagination of a majority of the population. Only a handful of people have so far used the law.

What is more astonishing is that even the once fabled civil society of Bangladesh, well-known for its proclivity to stand up for democracy and good governance, has kept away from the law—a law that is internationally recognised as a most potent instrument available to citizens

for the prevention and detection of corruption, and for promoting transparency and accountability in the work of public bodies.

The reasons for such reticence have been examined before. Impediments have been identified and the way forward discussed, but the best way to redress the situation may be to focus more on the impact of RTI. Citizens would be more motivated if they find that the government is taking follow-up measures and remedial actions based on the outcome of their RTI interventions. For example, if an RTI request succeeds in exposing corruption or abuse of power, the government would seek to enact measures to block

its recurrence.

However, it is difficult to obtain empirical evidence to show that information derived from RTI interventions has led to follow-up government actions, and to thereby assess the real impact of RTI on governance.

What is possible is to observe and measure progress on the basis of anecdotal evidence found through case studies. The question to ask is whether the information obtained through RTI has helped citizen's access to services without resorting to bribes, and whether it has exposed corruption and reduced abuse of power and mismanagement of public money.

Let us look at some case studies from Bangladesh based on the above perspective. We begin with some success stories. One area where the RTI Act was put to significant use right from the beginning was to ensure proper disbursement of the government's substantial social safety net programmes (SafetyNet) for vulnerable groups in the country. This included old-age benefits, maternity benefits, pension for widows and the disabled, etc.

A number of NGOs helped individual applicants who qualified for the programmes but often failed to obtain them due to official malpractices. The RTI requests they submitted simply asked for lists of recipients, the criteria for their selection, names of persons involved in the selection process and the like. In most cases, the applicants were subsequently included in the lists, though no formal response was given to individual information requests.

In many places, the concerned authorities even started posting the list of recipients on official notice boards. It reportedly reduced malpractices and was considered by locals as systemic change in the disbursement of SafetyNet funds. It ensured that government funds went to the intended beneficiaries.

Similarly, RTI interventions were used by school students and their parents to find out about disbursement of government scholarship money by school authorities. The latter was known to withhold significant amounts, citing various reasons. The RTI requests simply asked for the basis on which the amount was deducted. In most cases, the school authorities avoided any formal explanation and

simply paid the full amount. Very few complaints of this nature are heard these days, suggesting these requests led to systemic change.

In a number of cases, RTI requests led to authorities implementing court directives. In one of them, a number of persons from Taraganj Upazila in Rangpur district asked local educational institutions whether they had formed committees for the prevention of sexual abuse and harassment of students as per a High Court directive. To the satisfaction of the applicants, many of the respondent institutions formed the committees first and then replied to confirm their existence. This was followed by a dialogue between government offices and local civil society, following which the District Commissioner issued an order to concerned institutions to form committees based on High Court guidelines.

In a similar case, Bangladesh Legal Aid and Services Trust (BLAST) submitted several RTI requests to the Ministry of Education, the Ministry of Primary and Mass Education and a number of government teachers' training institutes. They wanted to know if a directive issued by the Bangladesh Technical Education Board in 2011 on the prohibition of physical and degrading punishment of students was properly implemented. In response, the Ministry of Primary and Mass Education first ensured that measures were indeed introduced in their training curriculum, and then responded in the positive. Similar responses were received from the education ministry and the District Commissioner of Dhaka. Needless to add, this encouraged not only the applicants but RTI enthusiasts in general.

In another RTI intervention by BLAST, applications were sent to the offices of District Commissioners, the Directorate of Social Welfare and the Election Commission in a number of districts in North Bengal. They asked for information on the number of enclaves that were added to their respective areas of operation following an agreement between Bangladesh and India, the number of inhabitants added, and measures taken by their authorities to improve their standard of living and exercise of their rights, including land registration, SafetyNet benefits and the like. To their great satisfaction, most of the authorities provided the information requested.

Such actions increase peoples' faith in the system.

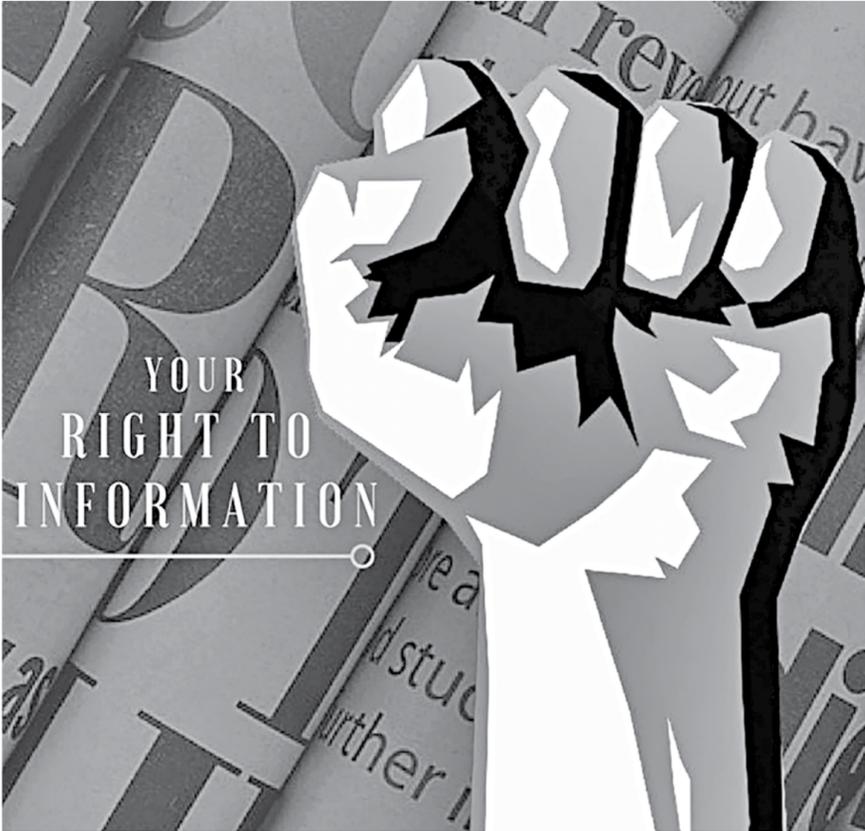
There are also examples that show immediate impact but do not suggest systemic change. One such case is of an RTI applicant from Dinajpur, who asked the local Police Superintendent about rules and regulations relating to the collection of fines imposed by street police on auto rickshaw drivers. The applicant wanted to know on what basis they take the vehicles to the police station, collect the fines and let them off without providing receipts. She also wanted to know whether the amount was deposited in a government account and how the money was subsequently spent. In response, the police super promised proper action against concerned staff and there was a noticeable absence of such practices on the streets. It increased peoples' faith in the police, but the question remained of whether it would lead to more permanent reform, halting the recurrence of such practices.

While these examples are encouraging, they do not indicate specific trends because they are very few and far between. Anecdotal evidence also indicates that there are many cases where RTI requests are either not answered or only partially answered, where complaints to the Information Commission yield no satisfactory results and where applicants feel intimidated by the relevant authorities. Greater attention to these matters by the government are essential.

The positive picture depicted in the examples above show promise of the RTI law in the country. We need more such examples. But unless we can draw in the larger civil society to use the law, greater gains will continue to elude us. Scepticism and fear of possible reprisal by authorities for seeking information that is deemed sensitive must be eliminated.

RTI in Bangladesh began its journey with an admirable outcome from a RTI request, which subsequently led the High Court to order the demolition of the high-rise BCGMEA building on Hatirjheel because of lack of proper approval. It originated from the efforts of the civil society. More such interventions are needed to breathe fresh life into the RTI regime in the country.

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ILLUSTRATION: NAHELA NOWSHIN

## Pandemic impacts on children may be irreversible



LAILA KHONDKAR

DO we know about the realities of children in newly poor households? According to a survey conducted by the Power and Participation

Research Centre (PPRC) and Brac Institute of Governance and Development (BIGD), the number of new poor in August 2021 reached 3.24 crore. However, there is lack of reliable data on various issues affecting children's lives during the pandemic in Bangladesh, although media reports and NGO surveys confirm increases in child marriage, child labour and school dropouts. Poverty is one of the major causes in all of these. It is already evident that children have been disproportionately affected by Covid-19 related poverty and prolonged school closures.

Children experience poverty as an environment that is damaging to their mental, physical and intellectual development. This means that a monetary approach based on income is completely inadequate to capture child poverty and can even lead to undesirable outcomes for children. According to this approach, a standard solution to poverty is to increase income, but the increased income may not be used for expenditures that will have positive impacts on children.

The Bristol Approach to child poverty looks into child deprivations through seven critical dimensions: shelter, sanitation, safe drinking water, information, food, education and health. Children are considered poor if they suffer two or more deprivations. This was originally suggested by Peter Townsend and later developed at the University of Bristol, and has formed a crucial basis for understanding and assessing the extent of child poverty.

The concept of vulnerability is based on the recognition that people can fall into and out of poverty depending on changing situations. Social vulnerability involves an intersection of economic, political, cultural and institutional factors. It is usually dependent on access to and control over natural and social resources, access to political power and representation, cultural constructions surrounding gender,

age, beliefs and norms, physical vulnerability, etc.

Childhood is the most vulnerable stage of life. It is a formative phase and a very crucial one for the development of an individual. Children's vulnerability is linked to the vulnerabilities of their parents and caregivers. If the parents lose income due to crop failure, disability or other reasons, then the children's basic needs will not be met. The lost opportunities in childhood often cannot be regained in later life. For example, the damage suffered due to malnutrition, ill health and

following in the last Concluding Observations for Bangladesh (October 2015): "The Committee recommends that the State party take all measures necessary to combat poverty and to eliminate urban/rural, social and other disparities in children's standard of living through, inter alia, social protection and targeted programmes for children and families who are particularly vulnerable to poverty, and prioritise the provision of safe drinking water and environmental sanitation."

The above recommendation is even more relevant in the context of

child sensitive.

Special attention should be given to families where children are at risk of dropping out of school, child marriage, child labour, etc. The effects of shocks, exclusion and poverty on families should be mitigated, recognising that families raising children need support. The age and gender-specific risks and vulnerabilities of children throughout the life cycle should be considered. Special provision should be made to reach children who are particularly vulnerable and excluded, including children without parental care, and

those who are marginalised within their families or communities due to their gender, disability, ethnicity or other factors.

Voices and opinions of children, their parents and their caregivers should be included in the understanding and design of social protection systems and programmes. There should be accountability mechanisms to allow them to give feedback on design and implementation.

In all relevant national surveys, data should cover all children below the age of 18 years and be disaggregated

by age, sex and particularly those groups of children who are in need of special protection. In-depth and rigorous studies should be conducted on multi-dimensional issues on child well-being, child poverty and disparities.

As we rebuild our economy and society in a post-Covid-19 world, we must recognise and prioritise the specific needs of children. Addressing child poverty deserves specific attention.

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A 12-year-old boy and his infant brother, photographed on March 30, 2020, are asleep near Kamalapur Internal Container Depot in the capital while their mother searches for food elsewhere.

PHOTO: MAHBUBUR RAHMAN KHAN

inadequate care during childhood affects future learning in a negative way, and often cannot be repaired. The negative effects of poverty may not be permanent in adults, but the consequences of not having basic needs fulfilled could be irreversible in children, and could hinder them from realising their full potential.

According to the PPRC-BIGD survey, the percentage of households skipping at least one meal increased significantly between March and August 2021, especially in urban slums (from two percent to eight percent) and in the Chattogram Hill Tracts (from two percent to 16 percent). The majority of the households did not have any meat, milk and fruits throughout the pandemic. If not addressed immediately, the children of these families will grow up with malnutrition and will have to face lifelong negative consequences.

The United Nations Convention on the Rights of the Child (UNCRC) Committee recommended the

increased poverty due to the Covid-19 pandemic. To ensure sustainable human development, child well-being must be considered as the highest priority and recognised in all national policy and planning. The government should strengthen existing social protection programmes to reduce the vulnerabilities of the poorest families by increasing coverage and financial allocation, and ensuring that the support reaches those who need it the most.

It is important to undertake comprehensive assessments of the social protection system in Bangladesh through a child rights lens. Appropriate child sensitive mechanisms should be designed and implemented. The positive and unintended impacts of social protection programmes on children should be monitored, and adjustments should be made as and when required. National and international NGOs should also make their poverty reduction programmes

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার			
উপজেলা স্বাস্থ্য ও পঃ পঃ কর্মকর্তার কার্যালয়			
নিকলী, কিশোরগঞ্জ			
স্মারক নং-উস্বাক/নিকলী/এমএসআর/২০২১-২২/৩০১৫		তারিখঃ ১৮/১২/২০২১ইং	
উন্মুক্ত এম,এস,আর দরপত্র বিজ্ঞপ্তি			
কিশোরগঞ্জ জেলার নিকলী উপজেলা স্বাস্থ্য কমপ্লেক্স এ ২০২১-২০২২ইং অর্থ বৎসরের জন্য রাজস্ব উন্নয়ন খাতের এমএসআর সামগ্রী স্থানীয়ভাবে ক্রয়ের নিমিত্তে প্রস্তুতকারী প্রতিষ্ঠান/এজেন্ট/অভিজ্ঞতাসম্পন্ন সরবরাহকারীগণের নিকট হতে সীলমোহরকৃত খামে প্রাপ্ত ভিত্তিক দরপত্র আহ্বান করা যাচ্ছে।			
১.	মন্ত্রণালয়ের নাম	ঃ	স্বাস্থ্য ও পরিবার কল্যাণ মন্ত্রণালয়, স্বাস্থ্য সেবা বিভাগ, ঢাকা।
২.	সম্প্রদায়িক সত্তার নাম	ঃ	উপজেলা স্বাস্থ্য ও পঃ পঃ কর্মকর্তা, নিকলী, কিশোরগঞ্জ।
৩.	দরপত্রের প্রকৃতি	ঃ	উন্মুক্ত দরপত্র পদ্ধতি (OTM)।
৪.	সম্প্রদায়িক সত্তার উপজেলা, জেলা	ঃ	নিকলী, কিশোরগঞ্জ।
৫.	কি কাজের জন্য দরপত্র	ঃ	নন-ইউসিএল উষধপত্র (ক) ও এমএসআর সামগ্রী (খ,গ,ঘ,ঙ,চ) ক্রয়ের জন্য দরপত্র।
৬.	বরাদ্দের উৎস	ঃ	স্বাস্থ্য অধিদপ্তর, মহাখালী, ঢাকা।
৭.	দরপত্র সিডিউল বিক্রয়ের শেষ তারিখ	ঃ	০৪/০১/২০২২ইং তারিখ অফিস চলাকালীন সময় (সকাল ০৮:৩০ ঘটিকা হতে বেলা ২:৩০ ঘটিকা পর্যন্ত)।
৮.	দরপত্র সিডিউল বিক্রয়কারী অফিসের নাম	ঃ	উপজেলা স্বাস্থ্য কমপ্লেক্স, নিকলী, কিশোরগঞ্জ।
৯.	দরপত্র গ্রহণের তারিখ, সময় ও দরপত্র দাখিলের স্থান	ঃ	০৬/০১/২০২২ইং, সময়ঃ সকাল ০৯:০০ ঘটিকা হইতে বেলা ১২:০০ ঘটিকা পর্যন্ত) উপজেলা স্বাস্থ্য ও পঃ পঃ কর্মকর্তা, নিকলী, কিশোরগঞ্জ এর অফিস কক্ষ।
১০.	দরপত্র খোলার তারিখ ও সময়	ঃ	০৬/০১/২০২২ইং, সময়ঃ বেলা ০১:০০ ঘটিকা।
১১.	সিডিউলের বিবরণ	ঃ	প্রাপ্ত ভিত্তিক সিডিউলের মূল্য
*	দরপত্রের সিডিউলের মূল্য (ফ্রেপ ভিত্তিক)	ঃ	সিডিউলের মূল্য (অফেরতযোগ্য)
*	এমএসআর উষধপত্র (নন-ইউসিএল)	ঃ	৭৫০/- (সাতশত পঞ্চাশ) টাকা
*	এমএসআর যন্ত্রপাতি	ঃ	৭৫০/- (সাতশত পঞ্চাশ) টাকা
*	এমএসআর লিলেন সামগ্রী	ঃ	৪০০/- (চারশত) টাকা
*	এমএসআর গজ, ব্যাভেজ, তুলা ইত্যাদি	ঃ	৪০০/- (চারশত) টাকা
*	এমএসআর পরীক্ষা নিরীক্ষা সামগ্রী	ঃ	৪০০/- (চারশত) টাকা
*	এমএসআর আসবাবপত্র	ঃ	৪০০/- (চারশত) টাকা
১২.	দরপত্র সিডিউলের মূল্য বাবদ সোনালী ব্যাংক, কিশোরগঞ্জ জেলার যে কোন শাখায় কোড নং- ১-২৭১১-০০০০-২৩৬৬ এ টাকা জমাপূর্বক চালানোর মূলকপি ও অনলাইনে চালানোর ডেরিফিকেশন কপি সহ অত্র কার্যালয়ের হিসাব শাখায় জমা দিয়ে দরপত্রের সিডিউল বিজ্ঞপ্তি জারির পর হইতে অফিস চলাকালীন সময়ে (সকাল ০৮:৩০ ঘটিকা হতে বেলা ২:৩০ ঘটিকা পর্যন্ত) দরপত্র সিডিউল ক্রয়/প্রস্তুত করা যাবে।		
১৩.	দরপত্রের যাবতীয় শর্তাবলী দরপত্র দলিলে উল্লেখ থাকবে।		
ডাঃ খান নূরউদ্দিন মোঃ জাহাঙ্গীর কোড নং-১২২২২৩ উপজেলা স্বাস্থ্য ও পঃ পঃ কর্মকর্তা নিকলী, কিশোরগঞ্জ			
জিডি-২৩৩৯			