

## **PEOPLE'S RTI ASSESSMENT 2008**

### **SECOND START UP AND PLANNING WORKSHOP**

April 21<sup>st</sup>, 2008; 10:00AM to 5:30PM; Nehru Memorial Museum and Library Conference Room, New Delhi

1. The workshop was attended by 21 participants (list at annex 1).
2. The general objective of the meeting was to discuss the progress of planning for the assessment, since the last meeting on 23 March 2008, and to finalise the methodology for the planned Peoples RTI Assessment 2008.
3. Shekhar Singh (SS) began by welcoming the attendees and thanking them for their presence. In response to a question, he explained the objectives and genesis of the current assessment and informed the participants that Google.org has contracted him to conduct a study of the use and implementation of the Right to Information (RTI) Act across various stakeholders in India (including public authorities, information commissions, media, judiciary, NGOs, and corporate sector). The objective of this study is to determine the strengths and weaknesses of the Act, the constraints preventing effective implementation and the ways in which access to information affects people's lives. Google.org has made available an amount of US \$ 250,000 for the study.
4. He further stated that the assessment is being undertaken by the newly set up Right to information and Accountability Assessment Group (RaaG) and introduced the current members of RaaG who were present in the meeting (see list of participants in annex 1). RaaG is carrying out this assessment in collaboration with the National Campaign for People's Right to Information (NCPRI), the Centre for the Study of Developing Societies (CSDS), the Tata Institute of Social Sciences (TISS) and various other institutions and NGOs.
5. Taking up the detailed agenda, the survey methodology was reviewed. First the issue of which states to cover was debated by the group.
  - a. The initial list included Delhi and the following 8 states: Uttrakhand, Maharashtra, Rajasthan, Karnataka, Andhra Pradesh, Orissa, West Bengal, and Meghalaya. Gujarat and Tripura were potential candidates if the list of states were to be expanded to 10.
  - b. It was suggested that Manipur be covered instead of Tripura because we have a better team in Manipur and also because the law is being used more in Manipur than Tripura.
  - c. However, it was also pointed out that the insurgency could make it quite difficult to conduct a survey in Manipur.
  - d. It was also recommended that we cover Uttar Pradesh since it is the largest state and the government study would be covering it. It was pointed out that in the initial sample of states neither UP, nor

Bihar, nor MP was included: all areas that are among the most backward in India.

- e. It was also suggested that Uttarakhand be replaced with UP, and Tripura replaced with Manipur.
- f. Some participants pointed out that we would have no hill state in our sample if Uttarakhand was dropped.
- g. There was also a suggestion that the number of states to be covered be expanded, though some of the participants were against this and suggested that additional states could be taken up in the next phase of the assessment.
- h. Another change suggested was that instead of Manipur or Tripura we select Assam in the Northeast since we know people there, and it is the most accessible of the states as well as the largest.
- i. There was also a discussion on the states being covered by the Government of India (GoI) study and it was agreed that all the states being covered by the GoI study should also be covered by our study.
- j. It was also reiterated that the states picked should not only be representative of the geographical spread of the country but also be a mix of the more active and less active (in terms of RTI usage), the large and small, ruled by different political parties and also representative of the diversity of India.
- k. It was also agreed that the number of states could be expanded to 10 but not more than that, plus Delhi.
- l. Consequently, it was decided to cover Delhi and the following ten states:
  - i. Uttar Pradesh – being covered by the GoI study, representing North India, a large state and also a backward state, with low level of activity relating to RTI –also ruled by a regional party.
  - ii. Maharashtra,
  - iii. Rajasthan, and
  - iv. Gujarat – all of the representing Western India – and of these Maharashtra is a part of the GoI sample and is among the most active states in terms of RTI. One is ruled by the Congress and the NCP (Maharashtra), while the other two are being ruled by the BJP.
  - v. Karnataka and
  - vi. Andhra Pradesh, both representing South India and the latter is a part of the GoI sample. Karnataka was, till recently, being ruled by a regional party and is an active RTI state, and Andhra Pradesh is being ruled by the Congress party.
  - vii. Orissa and
  - viii. West Bengal, both representing East India, the former being a part of the GoI sample and ruled by a regional party, and

the latter by a left party. The former being moderately active and the latter being minimally active.

- ix. Meghalaya and
  - x. Assam, both representing the North-East, Assam being also in the Gol sample. Meghalaya is a small tribal state, also a hill state, with moderate RTI activity, while Assam is medium size with low level of activity. .
2. Next the group discussed which public authorities (PAs) would be covered.
- a. The idea submitted by RAAG was to cover 5 authorities across all districts. The five would be selected from among: Panchayat, School, Anganwadi, PDS, Sub-health Centre, Patwari, Police, Forest, and PHED.
  - b. Sohini Paul (SP) pointed out that roads were not covered in the list.
  - c. Trilochen Sastry (TS) felt that it would be important to cover Agriculture and Water. He asked if the PAs would be uniform across the states?
  - d. Nikhil Dey (ND) suggested we choose three that would be uniform across the states, and 2 that would be left to the discretion of the districts.
  - e. After much discussion on the topic, it was decided to cover four authorities across all districts, and one additional “wild card” authority, the choice of which will be at the discretion of the district team.
  - f. TS added it would also be important to cover major issues such as NREGA. Aruna Roy (AR) and ND pointed out that NREGA would be covered so long as Panchayats were covered. Anjali Bhardwaj (AB) recommended that NREGA be the focus of a case study also.
  - g. It was decided that Panchayats would be one of the PAs covered across all states.
  - h. SP also added animal husbandry for consideration.
  - i. Finally, it was decided that the following would be the four uniform authorities to be examined in all districts: School, Patwari, PDS, and Panchayats.
3. With regard to general aspects of the survey teams’ activities, Aruna Roy (AR) noted that our survey teams should use local terminology in the field. Also that focus group meetings should be held in the evenings after people have had their dinner.
4. The discussion turned to how the sample of districts and sub-divisions would be chosen. Raman Mehta (RM) described the method used by him, based on accessible census data, to choose the sample districts in each state. The debate centered on whether or not any further stratification was needed.
- a. S. Parasuraman (SP) was in favor of stratification because states vary quite a bit in any number of categories.

- b. AR recommended that once randomized sample set is chosen it should be checked over once by the state conveners. However, it was pointed out that we cannot change the states selected through a stratified random sampling process without having acceptable scientific reasoning to support the change.
  - c. However, taking cognizance of the fact that there might be factors that are critically relevant in states in order to ensure that the sample is truly representative (like the regional distribution in Andhra Pradesh, the tribal distribution in Meghalaya, or the caste distribution in Rajasthan), it was decided that if the state coordinators so desired, a review could be done..
  - d. The discussion focussed around the need to build in local factors to ensure that the districts selected were truly representative.
    - i. The problem was that if a randomized selection was later manipulated on the basis of perceptions by the state team on what was ultimately representative then, though it might be finally a very representative sample, we would find it difficult to share with the public, as we must, on what objective criteria the sample was constructed.
    - ii. Therefore, it was decided to add a fourth ( and if needed a fifth) column where data regarding those parameters that were considered relevant to a particular state were added while stratifying ( and before sampling). These factors would then be taken into consideration while making the final sample – which would be done in a random manner.
  - e. Yamini Aiyar (YA) asked if this would adversely affect our ability to compare data. SS responded that at the nation or state level data will be aggregated and as such there should be no problem. Besides, if the sampling was done properly, as described above, then the final sample would be truly representative and would add to the authenticity of the findings.
5. In filing RTIs to the authorities, it was decided to ask for particular information in an effort to ascertain how many applications were truly being filed.
- a. AR and ND felt that name/address records are not always kept. Yet, money transactions were always recorded. Therefore, asking for the receipts of money deposited for RTI matters would be a way of indirectly accessing the information.
  - b. This strategy would however, overlook those who did not need to pay for their RTI applications; namely those who have BPL cards and can file applications for free. A separate query would be directed to determine the number of BPL queries.
  - c. The following emerged as the list of questions to ask:
    - i. Names and Addresses for those who have applied.
    - ii. Information about some substantive issue (eg. NREGA)
    - iii. Inspection of Records

- iv. Details of applicants from receipts of money deposited for inspection and application, and from their applications
  - v. The number of BPL applications
6. As for examining Section 4, the group debated the extent to which records need to be examined.
    - a. SS suggested we only focus on whether or not the records are there because it takes a great deal of special knowledge to know whether the records are accurate or if they are complete.
    - b. Nikhil Dey (ND) recommended that we should check to see if records are updated. This could be done by checking when the last entry was made.
    - c. SS pointed out that merely by looking at the last entry you cannot necessarily determine whether the record is up to date, as you do not know whether there should have been entries after the last one made.
    - d. AR said that capturing the last entry was sufficient. Then, analysis of that data could be done by the specialists to determine if records were being kept properly.
    - e. SS proposed that only one register per PA be examined since there are likely to be more than one. Survey teams can then be trained on that particular register for each PA to be able to capture adequate information to ascertain if records were being properly kept. It was so decided.
  7. Next focus turned to the applicants interview, and how it would be possible to identify and interview those individuals who had wanted to file an application, but for one reason or another were unable to. The group decided that this was difficult but perhaps we could get a quantitative and qualitative sense from the focus meetings. Besides some of this could be captured in the RTI segment of the CSDS state of the nation survey.
  8. The query was also raised on how to capture notice boards with no information or incorrect information. While the former was easy, for the latter the focus group meetings would have to be used.
  9. Before lunch, details for the Training Session were planned. It was decided that the training would be three days from 28<sup>th</sup> of May to the 30<sup>th</sup>. And it will be held at IIM-Bangalore under the auspices of TS. This would be for two team leaders from each district, involved in both the rural and the urban survey.
  10. After the lunch, the first point of discussion was whether the urban survey team (the group covering central to state to district) should be setting up a kiosk outside selected PAs and ICs in order to interview applicants and appellants who might visit the PA/IC. After some discussion, it was decided by the group that as the survey and assessment teams would not have the time and human resources to do this in addition to their other work, we should request one of the local organizations working on RTI to set up and run the kiosk. This would be an ancillary activity. The group

- manning the kiosk can also administer Sec 4 questionnaires and applicant/appellant questionnaires to those who visit the booth.
11. Next the group began to review the questions that RAAG had prepared to be finalized and administered by CSDS, as a part of the RTI component of their state of the nation survey. The questions framed were by and large approved.
  12. There was much debate about the exact wording and order of the questions. It was decided that it would be best if the content of the questions, as decided by the group, were sent to the and the CSDS be requested to draft the questions and send it back for the final approval of the group.
  13. At the district level it was decided to survey the following PAs: land, water and sanitation, police, health (district hospital), infrastructure group to include roads, parks, etc. It was decided to focus on Land, Water and Sanitation, Police and Health. The criteria used for selection of district level PAs included their importance and relevance to the everyday lives of the common citizen, the frequency with which they were likely to be approached under the RTI and the need to pick PAs different from those being picked at the village level.
  14. Responsibilities for state coordination were discussed next. The following name were suggested:
    - a. Andhra Pradesh: Sowmya with TISS Support
    - b. Meghalaya: Angela
    - c. Karnataka: Trilochan
    - d. Maharashtra: Priyanka and Parasuraman from TISS
    - e. Rajasthan: Nikhil and MKSS
    - f. Gujarat: Mahiti Adhikar? Harinesh Bhai?
    - g. West Bengal: Biblav Halim and IMSE? DRCSC? Amitav Chowdhury?
    - h. Uttar Pradesh: Arandhati Dhuru/ Sandeep Pandey
    - i. Orissa: Rajkishore Mishra? Ranjan M? Pradeep Pradhan?
    - j. Assam: Monisha Behl/ NEN
    - k. Delhi was not discussed.
  15. Next the discussion focused on the identification of the PAs at the state level. Two criteria were identified: (1) Criticality of the service and (2) the number of applications.
    - a. Potential PA's included: Excise/ license department, PWD, irrigation, mining, State Transport, Revenue department , Religious Affairs, and the Chief Ministers Office.
    - b. It was also suggested that the team consult Shailesh Gandhi to finalize the list.
    - c. At the Central government level a broad classification was developed as follows: Regulatory (home/ E&F/ parts of FM, etc.), Development (RD/Urban development, NE Development, etc.), social sectors (Women and Child Welfare, PRI, Health, Social Welfare, etc.), service sector (civil aviation, roads, railways,

- transport, etc.), Budgetary and Planning (parts of Finance, Planning Commission), Human Resources and knowledge based (science and technology, HRD, Statistics), Infrastructure (Water resources, power, etc.) .
- d. It was suggested that the team pick at least one PA per category, for a maximum of 10 PAs.
16. Case Study methodology was quickly reviewed by Soham Sen.
    - a. AR suggested that we consult lists like Hum Janenge for stories. She particularly recommended RTI related cartoons.
    - b. SK has the archive of Google News alerts related to RTI for the past three years which she agreed to make available to RAAG. This archive could serve as a source for case studies.
    - c. Nikhil suggested that PhD students could be useful in researching and writing case studies.
  17. Next PN reviewed the methodology to study RTI use amongst or against corporate entities.
    - a. TS asked if we could study the clubbing of accounts and catch scams. He also suggested that we should look at whether corporate entities were appointing independent directors.
    - b. SK suggested that it would be insightful to interview IT firms which have been commissioned by the governments to create websites for proactive disclosure. She pointed out that these firms are not getting all the information necessary to create the sites properly. A case study could be done.
  18. Finally, there was a discussion of budgets.
    - a. TS thought that 50,000/- per district would be more accurate than the 25,000/- RAAG had planned. This would cover 5 weeks and a team of 5 people who would each receive 100/- per day. They would be responsible for their own food, and a jeep would be hired for them to get around.
    - b. SS noted that RAAG's options in the event that the cost rises above 50K:
      - i. Cut scope of survey or reduce other aspects of the study
      - ii. Raise more funds.
  19. The meeting was called to a close by SS, who thanked all the participants.

## **Annex 1**

### List of Participants

1. Yamini Aiyar – RTI and Accountability Assessment Group (RAAG)
2. Aarti Anand – RAAG
3. Anjali Bhardwaj – Satark Nagrik Sangathan (SNS) and National Campaign for People's Right to Information (NCPRI)
4. Nikhil Dey – Mazdoor Kisan Shakti Sangathan (MKSS) and NCPRI
5. Pankti Jog – Mahiti Adhikar Gujarat Pahel (MAGP)
6. Amrita Johri – SNS

7. Sowmya Kidambi –Government of Andhra Pradesh.
8. Madhumita Mitra – RAAG
9. Raman Metha – Action Aid
10. S. Parasuraman – Tata Institute of Social Sciences (TISS)
11. Sohini Paul – Commonwealth Human Rights Initiative (CHRI)
12. Prashant Narang – Prabodh
13. Premila Nazareth – RAAG
14. Prabhakar Rao – Kalpavriksh
15. Aruna Roy – MKSS and NCPRI
16. Trilochan Sastry – Indian Institute of Management – Bangalore and NCPRI
17. Soham Sen – RAAG
18. Shekhar Singh – RAAG and NCPRI
19. Shourie Anand Singh – Prabodh
20. Bincy Thomas – RAAG
21. Priyanka Varma – TISS