

Right to Information Facilitators Mid-point Workshop

Dehradun July 22-23



Organized by the MCF
Funded by the Uttarakhand Information Commission



Mountain Children's Foundation 63-A Vyom Prasth; G.M.S Road; Dehradun; Uttarakhand
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Executive Summary:



The Mountain Children's Foundation (MCF) organized a 2-day workshop in Dehradun for the 19 organizations participating in the MCF/Asha for Education-SV Right to Information campaign. Funding and training support was provided by the Uttarakhand Information Commission. The workshop, which took place on the 22nd-23rd of July, 2009, was attended by one representative from each of the 19 partner organizations as well as members of

the MCF team who facilitated the event. Technical training on the RTI was provided by Dr. B.P. Maithani.

Dr. R.S. Tolia, Chief Information Commissioner for Uttarakhand, Dr. Shuchismita Sengupta Pandey, Deputy Secretary Uttarakhand Information Commission, and MCF Patron and Board Member Cyril R. Raphael attended the inaugural session of the workshop.

This meeting was a mid-point check-in and debriefing with the organizations that have been part of the MCF's yearlong campaign to promote awareness of the Right to Information Act (RTI) in rural communities in Uttarakhand. These partner organizations had been reporting to the MCF that they were encountering problems in their information requests and there was uncertainty about how to follow up on requests that were not properly answered. In response, the MCF asked Dr. Tolia and the Information Commission to sponsor a workshop for these organizations to discuss the different problems that had come up and get answers to their questions from the foremost RTI authorities in the state. The workshop proved extremely valuable and was a tremendous help in continuing the momentum of the RTI campaign as all facilitators who attended returned to their working areas feeling much more confident in their understanding of the RTI and eager to persevere with the project.

This workshop revealed remarkable successes—many of the RTI requests filed in the course of this project have resulted in longstanding problems being quickly resolved—and offered a resounding endorsement of the idea of promoting RTI awareness through the youth. In fact, both Dr. Tolia and Dr. Maithani, who were initially skeptical about the value of teaching young people about the RTI, said that they had now come to see that working with children was one of the best ways to spread RTI awareness. Furthermore, as Dr. Maithani noted during the course of the workshop, the RTI law is not meant to redress grievances, but simply to provide information to the public. The fact that so much has been accomplished simply as a result of RTI requests speaks volumes about the power of information and the current status of governance in these rural areas.

However, the RTI requests filed so far had also revealed many problems in the way the law was being implemented: there were many examples of the government officials themselves not understanding who was responsible for providing the information, as well as instances where officials angry about having an RTI filed about their activities had tried to intimidate the partner organization's staff and, in a couple of cases, the children as well.

Because one of the major concerns raised was about a case in which teachers in a school had been scolding students for filing an RTI request about computer classes in the school¹, the MCF team took the opportunity to strongly reinforce the theme that children should not be put in a position where they are vulnerable to intimidation or retribution as a result of their RTI requests. Therefore, if an RTI is to be filed about a school, it should be filed by someone who is not a student at the school. Similarly, children should not be encouraged to file RTIs about people in their village that might cause conflict within the village. And if a situation did arise in which someone was trying to intimidate the children, it was the responsibility of the organization to step in and protect the child and that MCF would provide all possible support from the state level. Finally, The MCF team strongly reiterated that RTIs should not be used maliciously or to harass anyone as that would undermine the value of the Act and the credibility of the organizations promoting it. Partner organizations were also reminded of the importance of recording and documenting their work in this groundbreaking effort. This includes keeping copies of every RTI filed and all responses, appeals, and complaints.

Dr. Tolia and Dr. Maithani helped to clarify many of the questions about who was responsible for accepting and responding to RTI requests, what constituted an acceptable response, and how to follow up on unsatisfactory responses. They also praised the partner organizations for all they had achieved in the project and encouraged them not to be discouraged or intimidated. Further discussions among the participants and with the MCF team helped build confidence and resolve to continue to teach young people about the RTI and help them use it to improve governance in their communities.

Workshop Proceedings:



Dr. Tolia inaugurated the workshop as chief guest. Dr. B.P. Maithani, one of the architects of the state's RTI policies was the chief facilitator for both days. Deputy Secretary, Uttarakhand Information Commission, Dr. Suchismita Sengupta Pandey and MCF Board Member and Patron Cyril Raphael also attended the inaugural session.

The first session began with the MCF's state RTI coordinator, Dwarika Prasad Nauri, presenting a summary of the project so far, the topics

¹ In this case, the children had been paying computer fees of Rs. 120 per year since 2002, but there was no computer in the school and no computer classes were being held. Initially the teachers shouted at the children, but after the MCF reassured our partner in that area, Saral, and encouraged them to get the support of the community behind the children. Eventually the situation was resolved, with the computer being restored to the school and computer classes beginning to be offered.

on which RTIs had been filed, and some of the successes and the problems that had come up along the way.

The problems included:

- Children filing RTI requests are being threatened and intimidated
- Information was not presented in the format and order in which it was requested
- The department was telling the requester to purchase a book from the department (for Rs. 3,200) to get the information requested.
- The department was demanding postage costs for sending requested information
- The Rs. 10 application fee for the RTI can be submitted by postal order, but some pradhans (village council leader) have said they don't get the money from the post office and demand addition payment.
- In some cases, the official has tried to avoid giving a written response by asking the requestor to come to the office and get the information in person.
- Responses lack the required information on where the response can be appealed.
- RTI request are returned unanswered with a note saying that the PIO for that department has not been appointed
- Confusion as to whether the village pradhan is the PIO or not.
- Lack of clarity about the process for collecting and testing a sample of a road or building construction
- A lack of understanding about the rules of RTI within the government departments themselves

(For details on this presentation, please see Annex 1)

This was followed by a presentation by Sudhir Bhatt, representing SBMA-Gairsain, one of the 19 organizations participating in the RTI campaign. Although each organization was asked to conduct 5 village-level workshops with 30 children each, the SBMA-Gairsain team managed to conduct 13 workshops with 500 children and adults and filed 60 RTIs that had shaken up officials in the entire block. As a result, quite a few government officials had tried to dissuade the SBMA-Gairsain staff from promoting the RTI. Nonetheless, some of the RTI applications resulted in significant successes such as getting a birth certificate for a child who had been denied one for 5 years, getting electricity restored to one village and discovering that another village had a panchayat bhavan that existed only on paper. They found that simply talking about submitting an RTI was often sufficient to get a problem solved and that government officials who previously kept members of the public waiting for hours would meet with alacrity someone who had filed an RTI request.

Following these two presentations, Dr. Tolia spoke to the group. He noted that they had not previously thought of children as a way of building RTI awareness, but now saw that children could be a very effective force in promoting the RTI:

“We had never imagined that this awareness generation could happen through children, but are realizing that it is better to work with children because they will have that knowledge for a longer time as they grow and become adults in the community. And if they talk about it at home and the



women begin talking about it, the society will start to change on its own,” Dr. Toila said. He also said that working with children would result in a greater impact on the issues that affect children, and therefore families.

In addition, Dr. Tolia said a benefit of this RTI campaign was that government employees are starting to understand RTI better as they receive and respond to the requests being generated.

Dr. Tolia also said that the Information Commission has requested an OB Van that can enhance the work the organizations have been doing on RTI. This van can go to remote areas and link people there via live video with officials at the Information Commission. Thus someone in a village in Pithoragarh could ask a question or file a complaint with the Information Commissioner through the OB Van’s communication link.

He said that he had no hesitation in saying the organizations participating in this project had caught the root of the problem and mentioned that this RTI campaign could help in a great many areas: for example, people could use RTI to ask whether the Right to Education guarantee was being fulfilled.

Following Dr. Tolia’s remarks, Mr. Cyril Raphael spoke and said that he had heard that Dr. Tolia is now being given the cold shoulder by other government officials. He said this was a clear indication that the RTI was really shaking up the status quo and was glad to see that the organizations of Uttarakhand had taken such innovative and successful step in promoting RTI awareness in rural areas and, in the process, had once more demonstrated the tremendous power and potential of young people to bring about change.



Dr. Tolia then answered some of the questions from the facilitators about the specific difficulties they had encountered. These included:

- **Could a Nepali girl who was born in India file an RTI request?** *Dr. Tolia responded that any citizen of India can file a request, and if she is born in India, she, too, should be able to file an RTI. However, even if she can't there is no reason why someone else cannot file the request on her behalf.*
- **How can you be sure that the information being provided is true?** *Dr. Tolia responded that you can ask to see the files/documents for an hour free of cost. You can also ask to visit the office.*
- **To whom can an RTI response be appealed? Is there an additional charge?** *Dr. Tolia said there is no additional charge for RTI appeals or to file a complaint. The Appellate officer (“Appeeli Adhikari”) should be noted on the RTI response. At the local level it is usually the BDO or ADO. Complaints should be sent directly to the Information Commission.*
- **Children and the facilitators are being threatened and intimidated for filing RTIs.** *Dr. Tolia urged the facilitators not to be frightened. Support the children—*

remind them they are doing the right thing and if they are given any problems, they should file a complaint. However, avoid putting the children into difficult circumstances— if a situation is likely to be problematic for a child, have an adult file the RTI instead.

- **The official responsible for responding to the RTI suggested that instead of a written response, they could meet with the children and provide the information in person.** *Dr. Tolia warned against falling for this ploy as it undermines the RTI and there is no guarantee that your information is correct because you don't have it in writing.*
- **Is the Pradhan the PIO (Public Information officer) at the village level or not?** *According to the Commission, the pradhan is not the PIO (the village panchayat secretary is) but the State government has yet to make that official.*
- **What is the process of a second appeal?** *Dr Toila said that, like the first appeal, there is no charge for the second appeal. But the appeal has to be submitted in 3 copies to the Commission with all the evidence of the question asked and the answers given.*
- **What is the procedure behind a person with a BPL card asking for information** *Dr Toila said the RTI charges are waived for people below the poverty line and that only the BPL code need be entered in the appeal. All district and block level offices should have lists of the BPL cardholders and their code numbers.*

Dr. Tolia had to leave the meeting at this point because the Information Commission Court was in session. This Q&A period was followed by presentations by each of the partner organizations in which the representative described how many workshops they had conducted, how many RTIs they had filed, and their successes and problems. **(For partner experiences, please see Annex 1)**



Following the presentations by the partner organizations, Dr. Maithani took the floor. Having just heard from the facilitators' presentations about the problems they had encountered, he told the participants that they had to make their minds strong to do this work. He said that bureaucrats were trained and existed in a culture of secrecy dating back to colonial times and that even though the government has shown a remarkable change of position by passing the RTI act, most government officials still don't like or want the RTI because it challenges the establishment and gives rights to the people.

Dr. Maithani offered the following advice to all the participating organizations:

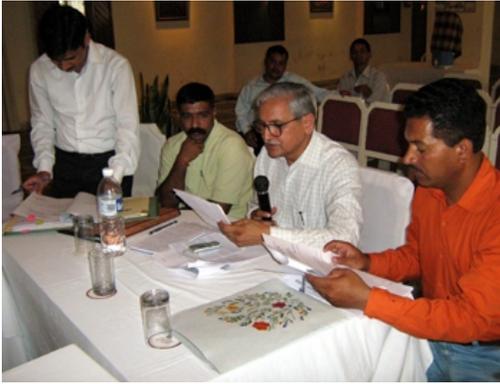
- Make your questions clear and in the interest of the people. Unclear questions will not get useful responses, and RTI applications that are filed for malicious reasons or are not in the public interest may not get answered.
- Prepare the children before they file RTIs. Warn them that they might be scolded or threatened and make sure they know you are supporting them.

- If an official asks “why are you doing this (e.g. filing an RTI)?” say the following things to make them see that you are the one with the right and they are the ones with the responsibility:
 - This is our country’s law
 - This is not meant as a criticism of you
 - There is no reason for you to be talking to me about my request – please provide my answer in writing
- If parents are afraid of allowing their children to file RTI requests for fear of having problems later, explain that the more they use the RTI the better things will function.
- The purpose of RTI is to eliminate inequality. Those who get upset about RTI requests are likely doing injustices or involved in some other wrongdoing.
- Many of the problems that have been encountered so far are because people have been quiet. Therefore it is imperative to complete the training of the children and complete the process: If you don’t get an answer, appeal or complain. Filing an RTI is just the first step.
- Any change or revolution will meet with resistance at first – we must make people accustomed to responding to RTI requests.
- When filing an RTI request, there is no need to hesitate or worry, there is no need to wait, run to the government office, or telephone. Your request should reach its correct destination on its own. If your request is not answered, you have the right to appeal.
- You must take the RTI seriously. Don’t use RTI to harass anyone.
- It is very good that children are getting training in this matter—these days our children are teaching us.
- This is a very important task and therefore a big responsibility. Don’t be intimidated. If someone threatens you, he is ignorant.
- If you complain, they’ll understand that you’re serious. In this way you increase your strength and get the respect you deserve. It is important to follow the process through its logical conclusion. The goal is to get the children to understand the RTI process: request, appeal, second appeal, complaint, etc.
- The RTI request does not have to go as a registered letter, which adds significantly to the cost of submitting it. For Rs. 7 you can send UPC which also requires a signature that can verify the request was received.
- RTIs can be submitted any time. You don’t need to wait for “babu” to be available. It is a punishable offence to refuse to accept an RTI application.
- You have to be masters of the RTI and understand the rules – many people will be upset about the requests you file so now that you have put your hand in the hornet’s nest, you should know what you are doing and be well covered.

The first day’s session ended with a game that measured the progress each of the partner organizations had made in the RTI in terms of the number of workshops completed, the number of RTI requests submitted, the types of questions asked, etc. It provided positive reinforcement to the partners who had been most active and effective in their use of RTI and a wake-up call to those who found themselves being left behind.



Day 2:



The second day of the workshop focused on an in-depth explanation of the RTI rules by Dr. Maithani. Because the RTI concept was so new to everybody involved, the facilitator workshop at the beginning of the project had explained the entire RTI process but focused mainly on the process for asking the initial question. However, feedback from the partners revealed that no one had filed an appeal or complaint, despite many having received unsatisfactory responses.

Dr. Maithani made a presentation that he uses to train government officials on the RTI, so it provided a very detailed and specific explanation of the RTI rules and the government's responsibilities. The presentation was in Hindi and Dr. Maithani freely shared it with the participants so the partner organizations will be able to refer to it or use it to train other members of their staff.

As he began his presentation, Dr. Maithani told the participants that they are doing through the children what the parents should have been doing but hadn't. He also said this effort was worthy of an award and urged all the partners to document their work.

Highlights of his presentation include:

- The RTI Act represents a dramatic shift in the government's attitude. It enhances accountability and transparency.
- It has a wide scope that encompasses all three pillars of government, a deep reach, and the need to provide information is binding.
- The definition of information in RTI is any document, email, memo, form, press, release, log book, etc.
- Information provided to the government by a private sector company, such as a proposal, is also covered by the RTI.
- You can request photocopies or even a CD of information.
- RTI entitles you to inspect documents, records, the office, etc. You can request attested extracts of any documents and you can request samples of materials being used in construction of roads, buildings etc. You have to test these samples at your own expense. However, if you submit an RTI request to test a sample, the official must give you a time to go and take the sample, one portion of which is kept by the government while the other portion is sealed and given to you. *Dr. Maithani noted that if one wants to assure the quality of construction, it may not be necessary to actually go through all this trouble. Simply filing an RTI request saying "I intend to take a sample when the project is complete" may well be sufficient to ensure the quality of the work.*
- It is the obligation of the public authorities to keep records in such a way that they can easily provide information and proactive disclosure.
- The job of the PIO is to assist the public in getting information (not to assist the government in concealing it).

- Information requests can be in Hindi, English, or the regional language; the request can be submitted in writing, electronically, by post or handed to the Sahayak Lok Suchna Adhikari (Assistant Public Information Officer).
- Central government rules for RTI differ somewhat from the Uttarakhand rules, e.g. the central government does not accept stamp paper as a form of payment for RTI applications.
- If denying an RTI request, the officials must explain why they can't give the information. Otherwise it is grounds for complaint or appeal
- Officials cannot ask why you are requesting the information.
- Everything for an applicant who has a BPL card is free up to Rs. 200 if the request is in the public interest. The application must have the BPL card number. However, Dr. Tolia said it is not necessary to include a copy of the card itself.
- RTI applications must be responded to within 30 days (35 if submitted to a Sahayak Lok Suchna Adhikari – Assistant Public information Officer) Some RTI applications must be responded to within 48 hours (e.g. if a house is about to be torn down or a bail application).
- If you don't get a response within 30 days the request is deemed declined and the official is liable for punishment.
- If someone is unable to write an RTI application, it is the responsibility of the PIO to get the application written for them.
- Information will be given in the spirit in which it was requested. But if it is a vexatious request or takes too many resources and the importance is not very great, it can be declined.
- If the information goes to the wrong department, it must be forwarded to the correct department and a notice sent to the applicant that it has been forwarded.
- If the request pertains to a third party, that party must be notified in writing of the request and has an opportunity to challenge the request.
- If you appeal an RTI response, the appellate authority must make a decision within 30 days. Some appellate authorities have been demanding a personal appearance by the applicant, but that is wrong. *Note – it is also possible for an applicant to send a representative in his place (e.g. if a child filed the original RTI request a facilitator from the partner organization can attend the appeal in place of the child.)*
- Second Appeals must be filed within 90 days of the decision rendered on the first appeal if not satisfied with the decision. The appellate authority (in this case the Information Commission) has no fixed timeframe to answer the second appeal as it works as a court and has to gather evidence.
- There are efforts underway to raise the application fee and reduce the time period for which one use the RTI to demand information.
- The Information Commission has all the powers of a civil court and its rulings are binding.

The workshop concluded with a discussion about whether the partners were interested in continuing to work on the RTI as an issue and whether they felt it should be continued as a project primarily involving children. The answer to both questions from all the partners was a resounding yes. However, several partners advocated involving adults as well as children as a way to get broader community support. Some partners also expressed a

desire to involve more urban children. In addition, some partners suggested that it may be necessary to build in more follow up workshops rather than focusing on a single village-level workshop

The partners then discussed the upcoming state level workshop for the children that would wrap up the RTI campaign. Partners requested that the dates of the workshop be selected to minimize the amount of school that the children must miss in order to participate. The tentative dates were set for the 12 and 13 of October, 2009 but partners were asked to review their calendars and confirm with the MCF. In addition, MCF president, Aditi P. Kaur, requested that the young people who attend the workshop should all be children who have actively filed RTIs since the purpose of the workshop is to share experiences and what we have learned as a result of this campaign.

Finally, each participant received a postal order for Rs.10 to file an RTI on a subject of their choice.

Conclusion:

This workshop provided a much-needed opportunity for the MCF and its partner organizations to take stock of their progress so far in promoting RTI awareness in rural communities through the children. The participation of Dr. Tolia and Dr. Maithani helped dispel many of the concerns and misunderstandings about the RTI rules and provided the facilitators from the 19-partner organizations a much needed refresher course and morale boost. Many of the facilitators who had come to the workshop feeling frustrated that their questions were not answered properly or feeling intimidated because of the reaction they received from government officials, said by the end of the workshop that they were much more confident and willing to face down any opposition. We believe the impact of this workshop will significantly enhance the effectiveness of the RTI campaign over the remaining months.

Note: Please see the Annex for an overview of this project as well as the success stories and challenges that were raised by the partner organizations during this meeting.

Annex 1: Participant Presentations

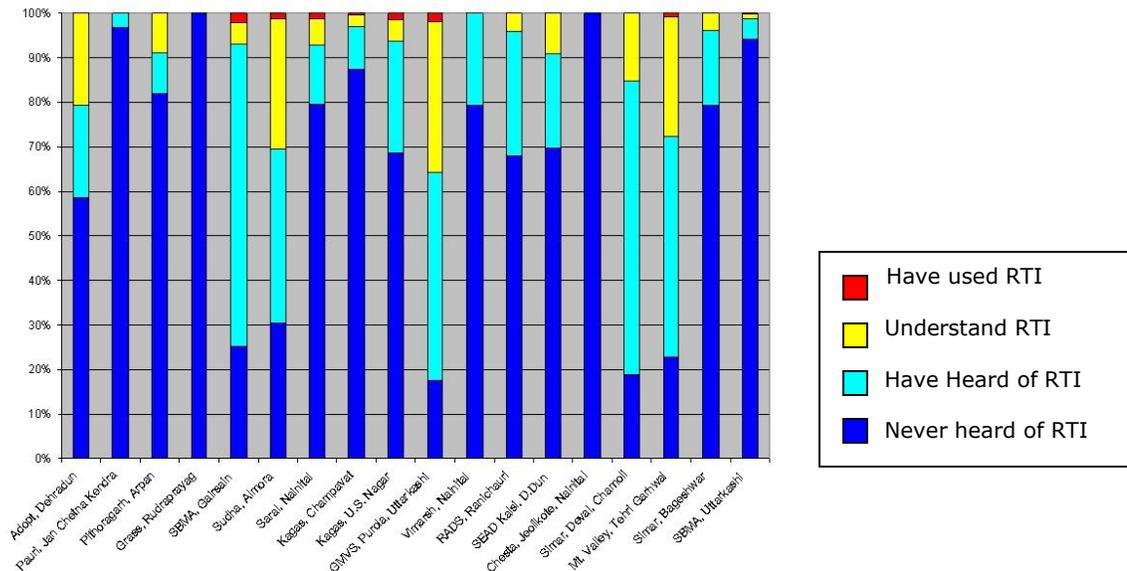
Opening presentation by Dwarika Prasad Nauri (MCF State RTI Coordinator):

The MCF workshop was conducted with 18 partner organizations and one bal sangathan. This map shows the partners.



Prior to launching this campaign, we conducted a baseline survey in the villages to measure how much people knew about the RTI. As the chart below indicates, that there was very little awareness about the RTI in the rural areas where we have conducted this campaign.

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For the campaign, we created informational materials including a poster, and a brochure explaining the RTI process and rules. We also printed FAQs about the RTI in our magazine, *PABAM*, and there have been RTI stories published in the magazine following the village-level workshops. The Information Commission also provide a packet to each partner, which included the full text of the RTI Act, a list of partners and other valuable information.

We then kicked of the project with a state-level workshop for children and facilitators that drew more than 90 participants. Dr. B.P. Maithani facilitated the event and Dr. Tolia attended as chief guest and answered the children's questions.

This was followed by an in-depth facilitator workshop to train our partners on how to teach others about the RTI. Two trainers from Parivartan, an organization that has led the RTI effort in Delhi and nationwide, facilitated the workshop.

Following this training, each partner returned to their working area with a mandate to complete 5 village-level workshops with 30 children each and file RTI requests during and after those workshops. MCF project coordinator, Dwarika Nauri, conducted follow up visits with each partner.

The MCF team decided to organize this second facilitator workshop supported by the Information Commission of Uttarakhand, because of the problems and complaints they had heard from their partners.

The neext steps in the project are an endline survey in the first week of September that will measure how much more awareness there is about RTI since this campaign began and a 2-day state-level workshop with the children. During this meeting, we need to discuss how we want to carry this effort forward.

So far we have received reports of 251 RTIs filed about more than 15 issues/problems. The largest numbers of RTIs have been filed over questions of education, electricity, village programs, and birth registration.

The problems most commonly reported by our partners include: intimidation of the partner organizations and sometimes the children; information that was provided in a disorganized fashion; instead of providing information, demanded that the organization publish an entire book; demanding additional money for postage; complaints from the pradhan that they were not able to get money from the post office for the postal order and so were demanding it from the organization; trying to circumvent the process by saying they would give the information verbally rather than in writing; RTI responses were often missing the requisite information about whom the appeal should be filed to; the office doesn't have a PIO appointed and so the request is returned unanswered; confusion over whether the village pradhan is the PIO or not; questions about the

process for getting and testing samples (i.e. in road or building construction); government officials themselves do not fully understand the RTI or their responsibilities.

He then shared some success stories, including cases of electricity being restored, local government officials finally taking notice of a teacher who routinely missed school and ordering him to attend regularly, a road and bridge to the school being built after 5 years, water pipes being removed from the roadway—all in response to RTI requests filed by the young people.

Dr. Tolia said these are not “stories” they are successful experiences!

Partner experiences:

Prior to the workshop, each partner was asked to prepare a brief presentation on their progress so far with the RTI project, including how many workshops they had completed and their positive and negative experiences filing RTI requests.

Adopt (Dehradun) – Conducted 5 village workshops and filed 39 RTI applications. One workshop was conducted only with girls. All the roads in their area were in very bad shape, streetlights had not been functioning for three years, and the toilet in the Degree College was never cleaned. After they submitted some RTIs for information on these issues, 6 roads (all the major ones) have been repaired, street lights have been fixed, and the degree college toilet is now kept clean. They had also inquired about public garbage receptacles. They have not yet received a response to that query, but the garbage that had been lying around was removed. Their biggest problem has been parents who don’t want their kids to submit RTIs for fear of making waves or offending someone. But despite this, they feel the RTI project has been very good for them and they strongly support the idea of working with children on RTI. However they feel that urban children should also be included and the program should be expanded to include additional follow-up meetings with each community.

Sudha (Almora) – Completed 5 workshops, submitted 17 RTI requests. RTI applications have been on topics such as what programs are available for women, what schemes the Social Welfare department has available, and questions about roads and forest. They had submitted an RTI request to the Forest Department and got a response saying they would need to buy a book for Rs. 3,200, but when they mentioned this during the workshop, Dr. Tolia noted that there are provisions in the law to prevent it becoming too burdensome to the government so if the information is already compiled somewhere and the request is extensive, the government is within its rights to suggest purchasing the book that contains all the information. But Dr. Tolia reminded the facilitator that the RTI grants you the right to go to the office and review the book for an hour before deciding whether to copy individual pages or buy the entire book.

Parents haven’t been very supportive, which has made it difficult to get the children to participate. But Jyoti, a young woman who works for Sudha but comes from and lives in one of the villages, submitted an RTI asking about the Swajal project for water and sanitation as well as about the obligations for the water department to maintain and repair lines. At first, the water department tried to intimidate her by threatening to declare her line illegal and getting it removed, but when she showed them her water bill and asked

them to give her in writing that they were removing her tap because it was illegal, they backed off and provided the information. They also fixed her water line and the linesman now stops by regularly to ensure that everything is functioning well.

Kagas (US Nagar) – Completed 5 workshops and filed 25 RTIs. Govt. workers are suspicious and angry about their RTI project. They see it as criticism and have tried to circumvent the process by saying they would provide information verbally. Local elected leaders such as the Pradhans are also in league with the bureaucrats and therefore feel nervous about the RTI. But KAGAS has got some good responses and have been supporting the villagers who feel intimidated. They strongly support working with kids on the RTI but also feel it is very important to teach adults about it as well.

Kagas (Champawat) – Completed 5 workshops and submitted 19 RTI applications. Since Kagas started this project, the villagers themselves have started asking for information. However, some of the government workers have complained bitterly about Kagas teaching RTI to the community. They are saying “we have supported your organization’s work, why are you trying to make trouble for us?” (This type of quid pro quo is one of the biggest reasons for the ongoing corruption.) One drunk ADO said: “Gaonwale ki itni himat barh gayee!” (The villagers have become so bold!) But the Kagas facilitator mentioned that when he went to get a water connection, he got it immediately. It is unclear whether this was by way of thanks because he didn’t pursue another RTI that hadn’t been well answered or because they are afraid of him because they know he can use the RTI. The facilitator strongly endorsed the idea of continuing to work with children on RTI, saying “where the program worked, there have been lots of changes. It is very good because it helps the very poor and changes the nature of governance.” However there are still many people who don’t know about the RTI and Kagas would like to continue working on it in more villages and other blocks.

Vimarsh – Completed 5 workshops plus one extra one with their own resources. Submitted 28 RTI requests. Since this project began, VIMARSH has started using the RTI and teaching people about it in their other work as well. However, they met with a lot of resistance. For example, one Auxiliary Nurse Midwife (ANM) scolded the kids for submitting an RTI request, as has the Gram Vikas Adhikari (village panchayat secretary). At one point he suggested having a meeting with the children and giving them the information verbally in the meeting. But Dr. Tolia said don’t do that – that undermines the RTI and you have no guarantee that the information is accurate (since you don’t have it in writing). Overall, the organization is not very happy with responses it received but hadn’t appealed any of them. In addition, many of the applications were recent and haven’t yet received a response. But the facilitator says she now understand the appeal and complaint process better and will follow up more aggressively. In one stellar success story, a child named Ganesh submitted an RTI request that resulted in getting electricity restored to his village after it had been out more than a month.

Vimarsh wants to continue working with children on RTI but they also want to expand the effort to include women, and children from the town of Nainital. (The MCF team clarified that it supports working with children from urban areas, but those children need to be organized into a children’s group for the effort to be successful and sustainable.)

GRASS (Rudraprayag) – Completed 5 workshops and filed 19 RTI requests. The children are very happy with the RTI responses and those that received RTI training have been teaching other kids about it on their own initiative. The facilitator originally assigned to this project had to leave town for family medical reasons, which disrupted the project considerably. However, the organization was able to complete the 5 workshops with other staff members and young members of the children’s group.

The project has inspired adults as well. When they went to photocopy their RTI applications, the man who ran the photocopy shop was intrigued and asked if he could also file an RTI. Then some teachers returning from a government training heard about RTI because GRASS was holding one of their workshops in their school. They, too, asked for more information and decided to file an RTI because they had not received their full travel allowance and were housed in very poor accommodations.

GRASS strongly supports the idea of moving forward on RTI with children because, as organization head Mr. Kandwal says, children don’t have the same selfishness and self-interest that adults often display. He gave the example of how, when a journalist talking to the kids about their RTI efforts asked what they would do if someone offered them money to withdraw their RTI request, the children were appalled that such a thing might happen and strongly denounced the idea of being bought out.

Jan Chetna Kendra (Pauri)—Completed 5 workshops, filed 25 RTI requests. So far they have received responses to 15 requests. In addition to teaching the children about the RTI, they have also talked to the panchayat representatives, mahila mangal dals (women’s groups), and other adults in the village. However, they have not been very successful with the RTIs they’ve filed. In some cases, the children have been threatened and scared. In others, they simply haven’t received a response. Dr. Maithani urged them not to be intimidated and said that they must complete the process and appeal if they receive incomplete answers or no answers. Despite the difficulties they’ve had so far, the facilitator says Jan Chetna would like to continue working with children on RTI saying that “children are the future of the country – they are persistent and won’t be easily deterred.” But he also said he believes it is important to teach the adults in the community about the RTI as well.

Horawala – This is a single *bal sangathan* or children’s groups that is operating independently and working directly with the MCF. The MCF provided training and bal sangathan leader Deepika Pawar has been facilitating the project locally. They have had one workshop and filed 7 RTIs, resulting in some successes. In one case, an RTI request about pipes in the roadway resulted in the immediate removal of the pipes. In another case, an RTI asking about electricity resulted in restoration of the power supply. Deepika said it is important to continue working on RTI with children as they are not selfish “children can’t be silenced” but she also endorsed the idea of including adults such as teachers and village leaders in the workshops and trainings.

ARPAN – Completed 5 workshops and filed 13 RTI applications. They have had some success with their RTI applications: illegal liquor in their village has lessened since they filed an RTI asking about how many raids (and where) were conducted to crack down on illegal alcohol and how much illegal alcohol has been confiscated; one boy asked about a

broken water pipeline and was first told he would not get a response, but since then work has started on the problem. In one case, a woman was able to get her water restored simply by threatening to file an RTI. However, one RTI request that asked about a toilet for the village got the response that the toilet was already made. Since there is no toilet in the village, the villagers asked where it was supposedly located and who had made it. The government responded that they could not reveal the name of the contractor who made the toilet as it would “spoil relationships.” Dr. Maithani urged the organization to file a complaint about this response. The organization strongly supports continuing to work with children on RTI but also wants to expand the effort to include young adults above the age of 18.

Saral – Completed five workshops and filed 9 RTIs. Saral has struggled with the RTI because the community has not been very supportive. When children filed an RTI asking about computer education in their school, teachers scolded and threatened the kids and intimidated Saral workers.² (The school had been collecting computer fees of Rs. 120 per child annually, but there had been no computer in the school, even though they had been sent in 2002.) Initially the Saral facilitator was very shaken, but after talking to the MCF team, who suggested they meet with the community and ask them to support the children and offered to go to Baldiyakhan to help soothe the ruffled feathers, the Saral facilitators were able to work things out. Computers have been returned to the schools and the children are now attending computer classes. In another school, the teachers used to keep the school toilets locked so the children could not use them. Complaints of the children and their parents went unheard until one young girl filed an RTI, after which the locks on the toilet were broken.

They are not happy with all their answers and so had filed new RTI applications on the subject. However, Dr. Maithani noted that it was important to hold departments accountable by filing a complaint or appeal if the RTIs did not get proper responses. At the workshop, Leela, the facilitator from Saral, strongly endorsed the idea of continuing to work with children on RTI, saying “we are not scared any more!”

Chestha (Jeolikote) – Completed 4 workshops and filed 11 RTIs. They have been pleased with most of the responses they have received. Their greatest success has been in getting work started on making a road and bridge to the school in Belwakhan. The budget for this project had been approved in 2002, but when the villagers asked about the road they were told only Rs. 7,000 had been allocated, which was too little to build the road. This year, after an RTI request from a child in the village, it was revealed that the budget that had been approved was actually Rs. 75,000 and had now grown to more than Rs. 4,00,000. The bridge has already been built and work on the road has started. The child who filed the RTI, Manish, is now a hero to his family and the villagers. The organization wants to continue working with children on this issue. Facilitator Mukul said “the organizations have learned even more than the children.” He also advocated expanding the training to include children from the town of Nainital and the adult guardians of the children.

² It is important to note that during the initial training provided both to the children and the facilitators, MCF staff strongly emphasized the need to avoid situations that might become uncomfortable for the kids and that if they wanted to submit an RTI about a school in which the children were studying, the RTI should be put in by someone other than the children.

SIMAR Bageshwar — Completed 5 workshops and filed 19 RTI requests. This partner has not performed to expectations due to turnover in their staff. The facilitators who attended the workshop were absolutely new to the project and appeared to have no idea of what was going on. However, according to their report, some women used the RTI as leverage when speaking to some contractors – with the contractors pleading with them not to file an RTI and promising that they would do a high-quality job. However, the facilitator said the cost of filing an RTI is coming to about Rs. 200-250 per application. This puzzled the rest of the group as the cost of the RTI itself is only Rs. 10 (or Rs. 11 if by postal order) plus up to Rs. 25 for sending it by registered post. However, in Bageshwar, people from more remote villages apparently had to travel quite far to either get the postal form or to deliver their requests in person, which added to the cost. Dr. Maithani suggested that postal orders could be purchased in bulk and made available to the villagers on request. He also said that it was not necessary to spend Rs. 25 to mail the application by registered post – for Rs. 7, an application can be submitted through UPC (under postal certification) which also requires a signature from the recipient, thus providing proof of receipt to the sender. *Note – there is some question about how widely UPC is available in rural areas.*

SIMAR Devaal (Chamoli) — Completed 5 workshops and filed 29 RTI applications on 9 issues from 8 different government departments. The organization ran into trouble because some of the early RTIs filed were on contentious issues (e.g. against a contractor who happens to be the father of one of the children in the bal sangathan), which caused a backlash from the community and resulted in the children being afraid to file more RTIs. However, after the MCF staff learned about the situation and discussed the issue with the head of the organization, Mr. Kandpal, and shared with him the success stories from the other partners, he was able to restart the RTI process in his organization with better success.

SEAD – Completed 5 workshops and submitted 27 RTIs, of which 13 have received responses. They report a success story in which an inquiry about when the school might receive a math teacher resulted in a teacher being immediately appointed to the school. They also had a creative approach to the training, selecting three children from the first batch they trained to act as master trainers who then attended the other workshops to help with the training there.

However, the SEED staff have been trying to submit RTI requests in person and complained that they were getting the runaround from the government offices, where staff refused to accept the application, saying the “babu” wasn’t there to formally accept it. Ultimately, they ended up mailing their applications. However, Dr. Maithani said that RTIs can be submitted 7 days a week, 24 hours a day and clarified that refusing to accept an RTI request was a punishable offence under the law and if this happens again, a complaint should be filed with the Information Commission against the department. SEED wishes to continue working on RTI with the children. Ms. Kusum, the head of the organization, said that it would be good to include the families of the children and local officials such as the panchayat, but important to keep focusing on children’s issues. She also expressed the need for a withdrawal strategy, so that the children would not be left hanging when the project ended. Aditi Kaur of the MCF responded by explaining that,

while a withdrawal strategy is useful, the reason for working through children's groups was to ensure that they continue to meet and work on the issues in their communities between projects.

RADS (Tehri) – Completed 5 workshops, filed 7 RTI requests. This partner focused more on awareness generation and less on actually filing RTI requests. As a result, they are still awaiting responses for the requests. The RTIs they have filed so far have been focused on water issues, but we do not currently have any success stories from them. However, after the workshop the facilitator promised to go back and do more. Nonetheless, they feel that working with children on RTI is a good idea.

Gramin Mahila Vikas Purola (Uttarkashi) – Completed 5 workshops, filed 4 RTI applications. However, the officials in that area are not providing written answers – they are only willing to give information verbally. However, after the workshop, the facilitator felt more comfortable with the appeal process and has committed to filing more RTI requests.

Want to continue working with children on RTI but very much liked the idea of including the parents and other adults from the village to get their support.

SBMA-Gairsain – Completed 13 workshops and filed 60 RTI applications. This has been one of our most remarkable and effective partners in this project. They expanded the effort to cover 13 workshops and report that the entire block has been shaken up by the 60 RTI applications they have filed. There has been a great deal of rumbling and grumbling from the bureaucracy about the RTI requests, but the SBMA team has stood firm and refused to let the children be bullied. In one of their RTI success stories, the children submitted an RTI request asking about the process for getting an “aanganwadi” (preschool) in their village and also about the “panchayat ghar” (panchayat building). The response that came back explained the aanganwadi requirements and that one would be opened soon but stated that the village already had a panchayat ghar. This naturally caused great consternation in the village, since no such building exists, and flat-out panic in the government offices where the money for that project had clearly been quietly diverted. They tried to ask SBMA facilitator Sudhir Bhatt to persuade the children to take back the RTI request, but he simply advised them to figure out some way to get a panchayat ghar built in that village.

Another sticky problem that was resolved through the RTI was the birth registration of a young girl whose father was unknown. Her grandmother and SBMA had been trying to get this child's certificate for several years because the school was refusing to admit her without one. Following an RTI request, the child's registration came through all of a sudden. SBMA volunteers asked how this became possible when it had seemed such an insurmountable problem before. The response was that they had received an order from higher up telling them to get this child's birth registered and get her admitted into school right away.

In another case, a road to the primary school had been covered with mud and stones from a house that was being constructed above it, causing tremendous hardship for the children who slipped and fell as they were trying to cross. One of the SBMA facilitators

mentioned aloud that that she was thinking of submitting an RTI request on the subject, and that alone resulted in the road being swiftly repaired.

SBMA - Uttarkashi – Four workshops completed, 18 RTI applications filed. The SBMA/Uttarkashi team has been very pleased with the effects of RTI in their community. Although here, too, some disgruntled government employees have tried to intimidate the children and staff to withdraw their applications, the SBMA team has been meeting with the children's family and getting their support before helping any child file an RTI. So they have been able shield the children quite effectively. For example, the Auxiliary Nurse Midwife (ANM) did not visit the village to perform health checks or provide immunizations, but instead told people to take their children to the ANM center. When a young girl from one of the villages filed an RTI request asking how many days the ANM was supposed to spend in the villages vs. the ANM center, the ANM sought her out and began to scold her. In response, the SBMA team got people from four other villages to file the same request, since the ANM might try to intimidate one child, but would scarcely take on all the villagers.

Prior to helping any of the children file an RTI, the SBMA team has also made a point of meeting with the child's parents, explaining the RTI to them and getting their support. This ensures that the children are backed up by their families and makes them less vulnerable to intimidation.

This team (SBMA and the children) have achieved some dramatic results. In one case, the project facilitator, Bhupender Singh Rawat, received a phone call from an education official saying "We know you are teaching the children about RTI and we have sent a principal to the school!" Bhupender was not actually involved with the RTI request that resulted in this declaration, but he later learned that this was a school with 76 students that had no principal. There were two teachers at the school, who used to take turns attending school for one week at a time.

In another case, there was an 11 km road that had been under construction (repair and widening) for some 20 years. More than Rs. 16,00,000 had already been spent on it. But within one week of the submission of an RTI request, work on the road has begun in earnest and responsibility for the road construction has been transferred from the PWD to the *Nirman Nigam* (state's Construction Corporation). There was also a transportation problem and the same RTI request resulted in several more busses being put into service along the that route.

This organization also strongly favors continuing to work with the children on RTI. Bhupender said that since beginning of this project, he has seen a noticeable difference in the children as they begin to realize that they can make things happen for their community. Though he supports the idea of teaching adults about the RTI, he doesn't feel we should shift our focus to adults because they will not learn it as well or use it as faithfully.