

CUTTING EDGE INITIATIVES FOR RIGHT TO INFORMATION THROUGH E-GOVERNANCE: A case of first RTI Centre of Himachal Pradesh

BY

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Freedom of information is a fundamental human right and the touchstone for all freedoms to which the United Nations is consecrated (UN General Assembly, 1946).

INTRODUCTION

Right to Information (RTI) is perhaps the most powerful tool that has been made available to the people of India towards the path of transparent and accountable administration, ultimately leading to good governance. E-Governance in unison with the Right to Information Act can go a long way in realizing this objective. This article contains my experiences first as a Sub-Divisional Officer (Civil) cum Sub-Divisional Magistrate (SDM) at Palampur, and later as Additional Deputy Commissioner of Kullu in Himachal Pradesh. This paper describes some of the successful initiatives at the cutting edge level of administration to usher in an effective RTI regime through E-Governance.

RIGHT TO INFORMATION AND E-GOVERNANCE

RTI Act of India is considered as one of the most advanced RTI legislations in the world. However, right to information makes little sense if access to that information is limited only to literate, resourceful and computer savvy people. In this context, the RTI can be understood as having two facets from the perspective of the grassroots: (a) access to general information such as the information that governments and others make available, for example, concerning entitlements and benefits, and (b) access to specific information such as individual files, services or decisions made by officers.

In this context, the use of E-Governance for strengthening the RTI implementation is mutually beneficial. In fact, the RTI Act is India's first law and perhaps the only law in the world that obligates governments to take up E-Governance as provided in section 4 (1-a). Digitization of all government departments which is vital to strengthening E-Governance is quite important to address the information needs of the citizens. These very perspectives were at the heart of many initiatives undertaken at Palampur.

INITIATIVES AT PALAMPUR SDM OFFICE

This author was posted as the SDM at Palampur, Himachal Pradesh for about a year and was designated as the Public Information Officer (PIO) under the RTI Act. This was the time when the RTI was still being discussed and debated at the higher echelons, and was being taught to the officialdom, and when the society at large was progressively demanding more and more information as a right. It was at this initial stage of the implementation of the RTI that the SDM's Office Palampur achieved the distinction of establishing the First RTI Centre, E-Court and Sub-Divisional Public Information Kiosk of Himachal Pradesh.

STRATEGY FOR RTI IMPLEMENTATION

E-Governance
?
Better information regime
?
Informed citizenry
?
Right to Information
?
Good Governance

The strategy for implementing the RTI has been through use of E-Governance. The ultimate objective of these initiatives was to improve the information regime and information retrieval system, and also to reorganize the information available in the SDM's office for easier access to the citizens.

In addition to the full implementation of RTI Act and HP RTI Rules, 2006, the following specific initiatives have been taken at Palampur SDM's office.

- Right to Information Centre
- Public Information Kiosk
- E-Court and Integrated Case-filing and Monitoring System

Right to Information Centre

The RTI Act puts a number of obligations on the public authorities implementing this Act. In accordance with section 4 (1a), all records of the SDM office have been catalogued and indexed in a manner and form which facilitates the RTI. Some use of the Ahmednagar experiments in office efficiency has been done like open shelf system, modernization of office infrastructure making it more citizen friendly. Counter system has been introduced for every task being performed. All records appropriate to be computerized have been computerized. All branches of the office have been computerized and interconnected.

Significantly, proactive display of critical information at the cutting edge of administration has been done in accordance with section 4 (1b) of the RTI Act. Computerized display boards have been put up for all the tasks being performed in the SDM office. These include information on the following aspects.

- Significant data of Palampur subdivision: It includes brief data on the region, its administrative machinery, demography, land use, agriculture, industries, forestry, health, education and other socio-economic infrastructure.
- Procedures for getting various kinds of licenses: Documents required, officials concerned, conditionalities and procedures, etc. for making various kinds of licenses.
- Check list for registration and transfer of vehicles: Formalities in a check list format for registration, transfer, hypothecation, alteration, passing, etc. of various kinds of vehicles has been displayed.
- Schedule of fees for various works: Fee schedule and rates of taxes for various licenses, registration of vehicles, arms licenses, etc.
- Procedures for getting various kinds of certificates: Formalities for getting various kinds of certificates are displayed.
- Identity cards: Important information pertaining to elections and electoral photo identity cards.
- Red Cross: Objectives and projects being run by the Palampur Red Cross.

Public Information Kiosk

A Public Information Kiosk or PIK has been set up at Palampur SDM office in conjunction with the Right to Information Centre for enabling people to exercise their RTI in a meaningful and transparent manner. Application forms for seeking information or for inspecting any records as per Rule 3 of HP RTI Rules, 2006 have been made available through this kiosk. Information and Inspection Registers are being computerized as per Annexure I and II of the HP RTI Rules. Periodical reports of RTI from PIOs have also been computerized.

Within the kiosk, a computer has been installed and staff has been deployed to facilitate user interface. The computer, through interlinkages has got the entire data of the office for access to the users. The public can visit the kiosk for obtaining information about any task performed through the SDM office which can be made available both in manual and electronic formats. The kiosk has data about all kinds of licenses, vehicles and certificates being issued from this office. E-Pramana or computerized certificates facility has also been introduced to digitize certificates of various kinds issued through this office. Interested users can get the requisite details of these documents and can check the authenticity of documents and certificates. This is of great use especially for checking malpractices. Moreover, the entire data in the SDM E-Court is available in the kiosk. Integrated case-filing and monitoring system of the E-Court has been linked to the Public Information Kiosk. The aim is to streamline the judicial processes that are routine and time critical coupled with a citizen centric interface to achieve greater

level of transparency and information dissemination to litigants. People can also get print outs of requisite information from the kiosk.

Thus PIK is a sort of one stop shop for the common public and user groups to have accurate, timely and cost effective information.

E-Court and Integrated Case Filing and Monitoring System

Use of suitable information technologies help in maintaining excellent E-Governance practices, which have the potential to transform the functioning of judicial system especially at the cutting edge level. Computerization of courts is going on in judiciary at higher levels but it has not yet started in the courts of executive magistrates especially at SDM level. Entire functioning of the SDM Court at Palampur has been computerized. By computerization we do not mean that the case judgments are typed on computer, but it means automation of entire court functioning. In addition to computerization, an integrated case-filing and monitoring system has been developed. This helps the litigants in important matters like land, land revenue, workmen compensation, public premises, public nuisance, maintenance of public peace and tranquility, etc. The following tasks have been computerized in the SDM Court at Palampur.

- Daily Cause List of cases
- Schedule of next hearings
- Purpose of hearings
- List of newly instituted cases
- List of decided cases
- Periodical progress report of cases
- Details about status of a particular court case
- Various registers for record of different nature of cases

OUTCOMES OF THE RTI INITIATIVES AT PALAMPUR

All the above initiatives have had very positive outcomes. There is more transparency, efficiency and accountability in the public service delivery. There is better information regime and information retrieval system. Proactive public disclosure of information has resulted in easier and timely accessibility of useful information. One of the major outcomes has been the improvement in the public perception about the way grassroots administration functions. There has been tremendous customer satisfaction and people from other areas have started demanding similar initiatives as well. Even the motivation levels of the staff working in the SDM office have increased resulting in better services to the people. There is huge savings in time of people as now there are fewer chances of objections by office staff for non-adherence to procedures. It also checks corruption and negates the role of middlemen.

E-Court and integrated case-filing and monitoring system is a boon for having hassle free and people friendly courts. Time of litigants and lawyers is saved, as also that of the SDM Court personnel as no longer they have to prepare voluminous records. Even the retrieval of any information pertaining to a court case has become very easy. All these have led to informed citizenry and empowerment of the people.

INITIATIVES IN THE PIPELINE AT KULLU

The successful initiatives of Palampur subdivision are not only being replicated but also expanded substantially in my present assignment at district headquarter at Kullu. Some new initiatives on the path of promoting RTI through E-Governance have been started, but these are at initial stages. Kullu district has got its land records fully computerized and online for all its 6 tehsils and sub-tehsils. The following initiatives are in the pipeline in Kullu district under the RTI using E-Governance:

- (a) It is our aim to make the entire district of Kullu fully compatible with the requirements of the RTI Act and Rules. It involves proactive information dissemination not only by the Collectorate but also by line departments in the district. Consolidated information of the various departments is being digitized and put on the district website.
- (b) A list of all PIOs and APIOs pertaining to various departments would be exhibited both in the RTI Centers and on the website. The procedure for filing applications under RTI Act and Rules would also be suitably displayed. Both these things would considerably help the people in getting access to the RTI.
- (c) Administration also intends to have the RTI Centers and Public Information Kiosks at the Collectorate and in all SDM, Tehsil and Block Offices of the district. RTI Centers and Public Information Kiosks are being set up at the Collectorate level and in all 4 sub-division, 6 tehsil and sub-tehsil and 5 block offices of Kullu district. Touch screens would also be installed for having better public interface.

Major inputs in the RTI centers and public information kiosks at different levels are expected to be:

At district level, it would include things like consolidated data of the district related to various sectors; data on various schemes for the welfare of the people; a list of all rural development scheme beneficiaries; names of major institutions; and infrastructure and entitlements available to public.

At the level of sub-divisional offices, same aspects will be covered as at Palampur.

at block level, public display boards are being put on various aspects of panchayati raj and rural development. It includes relevant data of the block, rural development schemes and how to get benefits from these schemes such as Watershed and Hariyali programmes, information on Total Sanitation Campaign and people's participation,

powers and duties of gram panchayats and gram sabhas, the Panchayati Raj Act in a nutshell, the list of ongoing and completed rural development schemes panchayat wise, and the role and responsibilities of various PRI staff like panchayat secretary, technical assistant, lady social education officer, etc.

Slowly, additional user services and public information will be added in these kiosks.

E-Courts at the level of district, SDM and executive magistrate courts will be interconnected. The appeal cases of lower courts are filed in the higher courts and mutual connectivity of the courts will be quite useful. Integrated case-filing and monitoring system would also be made operational, and the data of the e-courts would also be put on the public information kiosks for use by litigants and lawyers.

Big thrust is being placed on the education about RTI and modalities of using this right especially for people at the grassroots level. Lot of training and awareness generation programmes are making progress. Not only the departmental heads and their employees are being trained, but the Panchayati Raj functionaries at all levels including Zila Parishad, Panchayat Samiti and Gram Panchayat are also being covered. Students, self help groups, mahila mandals, etc. are also being involved in this campaign.

SUGGESTIONS

On the basis of experiences from the above initiatives, certain suggestions can be given for having a meaningful, sustainable and participative RTI regime in Himachal Pradesh.

- (a) There should be more fund allocation for implementing the provisions of the RTI Act and Rules both for meeting administrative expenditures like providing photocopies and expenditure on proactive display of information. Charges levied under the RTI Act and Rules for giving copies and for carrying out inspections are deposited in the State Treasury and the PIOs generally do not have enough budgets to meet the cost of copies to be given to applicants. This could be a huge amount as some of the applications may involve hundreds of copies.
- (b) In order to ensure a meaningful use of the RTI by the people, wider sections of society at the grassroots level like panchayati raj functionaries, self-help groups, village committee functionaries, parent teacher associations, colleges and university students, etc. need to be trained on the nuances of the RTI. This requires additional funds, which should be placed at the disposal of public authorities.
- (c) Additional infrastructure including staff should be provided to the PIOs to enable them to discharge their functions well. Presently the existing office staff is being used for the RTI, which affects the smooth functioning of other office work.

As state governments are experiencing resource crunch, supplementary funding is necessary. Hence, central government must devise schemes or mechanisms for financial allocations to the public authorities for meeting these expenditures fully or partially as it is prevalent in the Ministry of Rural Development.

CONCLUDING REMARKS

Having realized the utility of the RTI in enhancing public transparency, accountability and empowerment of people, use of Information and Communication Technology (ICT) and E-Governance has been tried for better implementation of the RTI in Palampur SDM office and some more initiatives are underway in Kullu district. It has been recognized that the opportunities presented by a formalized RTI can only be fully made operational and regular through the development and implementation of appropriate information systems and automation of government operations.

Task of ensuring a free and fair exercise of the Right to Information by the common public is quite challenging. But these challenges could be converted into opportunities to ensure a win win situation for all the stakeholders.