

## Pro-active Disclosure under RTI and Public Service Delivery: Some Observations

- Binoy Acharya

It is obligatory under the section 4.1 (b) of RTI Act, 2005 for any public authority (PA) to pro-actively disclose information held/available under it. Placing information on government functioning, policies and programs contribute towards transparent and accountable governance. A complete and user friendly information disclosure as per the true letter and spirit of the Act will lead to a state where the citizen will not resort to RTI application to obtain information.

In consistent to the Act, u/s 4 (2), (3) and (4) the public authorities have been disclosing information through various means of communication including internet, notice board, wall writing and other means. The Government of India, Department of Personnel and Training (DoPT) constituted a task Force in May 2011 to recommend for strengthening pro-active (suo moto) disclosure as given in the section 4 of the Act. It has very clearly provided guideline for digital publication of pro-active disclosure under the communication dated April 15, 2013.

In the context of availability of information in the digital format and other form of communication, a simple exercise was carried out looking at all forms of disclosure from the village level public institutions to the State Secretariat covering selected departments in the state of Gujarat. During this process some innovative and distinctive practices were observed. While the observations are drawn from Gujarat, it can be applicable to any State.

1. **Information on Schemes and GRs/GOs specifying the procedure of accessing:** The websites of all the Departments and District level Offices provide extensive narration on the Schemes and Projects. Most of the Departments also provide the relevant GRs specifying the procedure and guidelines for accessing the schemes. It is observed that it is difficult to track/refer the GRs related to particular Scheme or programme as all the GRs are put under one head/icon. It may be more appropriate to provide GRs under each specific Scheme and Programmes to make it easy for the citizen to refer. It will even enable quick reference to the rules in case there is any contestation about the procedure to be followed between the beneficiary/citizen



▲ Awareness Meetings

and concerned officials. All the Departments and the associated offices also upload information on the approval process. The application forms shall also be uploaded.

2. **Beneficiary List:** The beneficiary list of subsidy programs is usually not provided in most of the websites. Subsidy programmes like housing, loans for purchase of agricultural implements when put up on the website, it brings fair degree of accountability. The MGNREGA website is an example. Disclosure of list of beneficiary of subsidy programmes in the website of District Collector or District Panchayat can bring local accountability and ensure effective targeting. Surat Municipal Corporation in one of the papers presented in an RTI seminar observed that they have been providing the beneficiary list of some of the BSUP projects. Information on granting permission to applicants on issues like land conversion, allocation of petrol pumps, setting up of institutions, building use, etc. if provided in real time basis giving the status of granting approval to all the applications received, approval, rejection with date will create effective and objective programme leading to citizen satisfaction. For all the subsidy programs, it may be more relevant to provide the beneficiary list, criteria of selection, list of applicants who were rejected with reason. Such lists can also be put up on the wall of the Gram Panchayat, ward office of the Municipality, etc.

3. **BPL List:** The BPL list is the most demanding information by the citizen as it sets the eligibility to many subsidy programmes. In India, people have lots of misgiving about the list which is reasonable true. The list is usually available in the websites of all the District Panchayat on the website of the Rural Development Department in Gujarat. It was

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heartening to see that in Assam, the list of new Socio-Economic and Caste Census survey list on the walls of Gram Panchayat and sought objections.

**4. Public Information Officer (PIOs) and Appellate Authority:**

The websites of all the Departments have provided information on the PIO and Appellate authority. Every public office up to the gram panchayat, primary school, Primary Health Centre, PDS shop must put-up boards indicating the name, address and phone number of the PIOs and Appellate Authority to enable citizen to make RTI applications.

**5. Important announcements on public service delivery:**

There are many important information like recognised hospitals for treatment under Rashtriya Swasthya Bima Yojana (RSBY), continuity of validity of RSBY card, availability of services of Janani Suraksha Yojana for any number of deliveries (not just two – as it is perceived), Gram Sabha schedule, etc. can be prominently placed on the District Panchayat website as well as through public information board in relevant offices. In Gujarat, the website of Rural Development Department provides the social audit gram sabha schedule of all the gram panchyats under respective Taluka and District. This information is useful for any interested person including students to make plan to observe the gram sabha. Important announcements of social sector programmes can be prominently placed on websites. The Rajkot Municipal Corporation has linked the birth registration with alert for immunisation. The parents of the new-born receive immunisation alerts on their registered mobiles. The office of the District Panchayat and District Collector of Sabarkantha has been announcing dates of the disability certification camp, Gram Sabah schedule, etc. through voice SMS to pre-identified mobile numbers. The Sabarkantha District has also released wall papers indicating all the toll free help lines. Simple SMS giving information on date of polio camp, early warning in case of flood and cyclone has been practiced in all the Districts. Such practices may be widely used to make public service delivery effective.

**6. Committee Members:**

There are many committees formulated at the State and level below to work in coordination with the Government for formulation of policies and their implementation. The information about the committee members, functioning and meeting details are not provided on the websites. Information on important Committees like Social Justice Committee, Rogi Kalyan Samiti, Area Complaint Committee Against Sexual Harassment, Child Protection Committee, District Planning Committee, Ekta Samiti, Mohalla Samiti, etc. may be provided. It is mandatory u/s 4.1 (b) vii and viii of the Act.

**Innovative Informative Disclosures:**

**PHC level disclosure:** The Health and Family Welfare Department in Gujarat has issued instruction to disclose the stock of essential drugs available at the procession of the PHC every month. The disclosure in Kera PHC of Bhuj in Kutch district, Bagthala PHC in Morbi district is exemplary. Those PHCs who comply this provision have built confidence among patients on the availability of free medicine. It has been observed that some of the PHCs have been practicing high quality disclosure of information, which includes:

1. Names of all the staff, including the Medical Officer with their phone numbers at the entrance.
2. The Name and phone number of the PIO and AA.
3. Services freely available in the PHC.
4. Names of all the gram Sanjeevani Committee members – VHS and NC.
5. Month ending stock of the essential drugs prominently displayed at the drug dispensation counter. (this information has improved access to free medicine and almost stopped discriminatory practices in terms of availability of free medicine)

**Gram Panchayat level Disclosure:** Some of the Gram Panchayats have disclosed the list of the beneficiary list and the list of beneficiaries under subsidy programs. Malav GP in Panchmhal district had developed a wide range of information disclosure templates such as templates displayed on the Public Information Officer (PIO) and Appellate Authority (AA), beneficiary list, BPL list, name of the Committees formed under public programs like School Management Committee, VHS&NC, Village Watershed Committee, Vigilance and Monitoring Committee, Pani Samiti, Standing Committees, Social Justice Committee along with date of their meetings held and members present, major works undertaken under different schemes with expenditure, list of village assets created over years under different programs, annual budget and expenditure, gram sabha resolutions, etc. to mention a few. In case, there is limited wall space, the information may be provided in a register and made available for public use.

**Recommendations to Improve Pro-active disclosure Practices:**

1. To start with, all the Public Authorities must put up information board indicating the PIO and Appellate Authority.
2. Without the active sponsorship of the Departmental Heads, the information disclosure practice will not progress. The Department Heads must find out means and mechanisms to aggregate information in electronic format. All information must be continually updated. The Departmental Head must

**Stakeholders Speak**

“Nidan through its AIPAD project is working to empower the marginalized people in Panchayats/villages in many ways focusing on public schemes related to health & sanitation, Education and social security; I thank them for their valuable contribution to the society, and wish them good luck for future.”

*Jai Bardhan Gupta  
BDO, Sambaula, Bhagalpur*

“When I joined the project in may 2014 and started visiting Panchayats, the situation was very pitiable. AWC were never opened on regular basis and the take home ration was never distributed as per the mandate. Student enrollment was not good due to malpractices/corruption. Very few people participated in VHSND. Many still remained deprived of their entitlements under social security due to malpractices and corruption. There has been a noticeable change now, AWCs now open on time and children in large number get enrolled in schools. It is exciting and heartening to see that more and more people are availing the benefits of their entitlements.”

*Indu Kumari  
FLW, Jagdishpur Block, Bhagalpur*



review/monitor the enforcement of information disclosure at least once in every quarter. It is advisable that the departments may share their disclosure policy with the Information Commission. (Surat Municipal Commissioner invited Hon'ble Information Commission of Gujarat to see and give feedback on their information disclosure practices)

3. The Departments must provide appropriate format/template to the grass root level Public Authorities to disclose information. When information is made available locally, it will reduce the RTI applications and subsequent Appeals. Civil Society Organizations may be involved to support local Public Authorities to improve the information disclosure.
4. Once in a year, a day-long seminar may be organized inviting all the Departmental Heads in the presence of the Chief Secretary to discuss the improvements that have been made and future plan on strengthening pro-active disclosure.
5. The officials designated as PIO and Appellate Authority may be sent in priority to attend training program on RTI and particularly on improvement in pro-active disclosure. More and more training programs may be organized at the District level and below involving RTI experts and practitioners.
6. The state training institutions shall develop interactive audio and video training and publicity material to develop a clear perspective on information disclosure practices. In the long run it will do away with the resistance for disclosing information on public programs, functioning and institutional mechanisms associated.

The author is thankful to the Gujarat State Information Commission for providing the opportunity to visit different public offices to study the status of pro-active disclosure in 2014. The observations made in this write-up are of the personal view of the author and not of the Commission. The author works in UNNATI, a CSO currently working on an EU supported project on 'Improving Access to information of Public Schemes'

## Stakeholders Speak

“Our effort is to create platforms for voicing the concerns and issues of community members. This is specially required for the voiceless and most backward groups. Their voices are suppressed within their own villages. It is heartening to see that people are gradually coming forward to express their concerns and grievances. Some of them have even started talking openly about collective problems. availability of right information is definitely proving to be an effective tool to against corruption. Happy faces of those who receive their entitlements as per their eligibility is always a source of great motivation and the slightest visible change in the communities gives us hope that our efforts are translating into positive impact.”

*Sittu Kumari  
Block Coordinator, Pirpainti, Bhagalpur*

## Sonika Devi: Proud to have a Toilet in her House

Sonika Devi w/o Mangal Mandal, a resident of Vahorachand village, Raifyatpur panchayat, ward no. 15, is a mother of 3 daughters. Generally it's a common notion of worrying if one family has 3 daughters. But Sonika Devi was more worried about the fact that they did not have a toilet in their house and they practiced open defecation. One day she attended the community meeting held by AIPAD FLW Annat. There, issues of open defecation such as diseases caused by open defecation and why construction of toilet is essential, were discussed. Government scheme for construction of toilet was also discussed in that meeting. Sonika filled with hope came to FLW Annat and shared her concern. Annat motivated her and facilitated her case with the help of PHED department. Construction of toilet work started in her house soon after. Today Sonika Devi and her 3 daughters are very happy as well as proud over the fact that their house has a toilet.



## Sumitra Devi's resistance to Corruption

Sumitra Devi w/o Dheeraj Singh, Jhurkusiya village, ward no. 5, Rajgaon panchayat, is an aged lady of 76 years. Even though she was eligible to get old age pension, but due to lack of awareness, she could not avail it. One day she attended the community meeting conducted by AIPAD Field level worker - Sudin, where he discussed about different schemes and programs. He talked about the old age pension programme of government as well. After the meeting got over, Sumitra Devi came to Sudin and told him about her concern. Next day Sudin took Sumitra Devi to nearby Vasudha Kendra, searched for all her documents and initiated the process application. After few days when Sumitra Devi took the complete form to the Panchayat secretary to get his signature, he refused saying that the form is not properly filled. This process of denial continued each time she visited his office. One day during a community meeting, FLW Sudin asked Sumitra Devi about the status of her form. Sumitra Devi gave him a sarcastic reply and told him about her experiences so far. FLW Sudin discussed this issue with his Project Coordinator Ms. Sittu Kumari and on her guidance took Sumitra Devi to the Panchayat secretary. On seeing Sumitra Devi with FLW Sudin, he readily signed her form saying that there was no need of FLW Sudin to come with Ms. Sumitra Devi and that he would have given it, even if she came alone. But the intent of the Panchayat Secretary was pretty obvious. Thankfully, this was avoided with Sumitra Devi's resilience and Nidan's engagement. Today Sumitra Devi is getting old age pension benefit under Indira Gandhi Rastriya Vridha Pension Yojna.



# Rastriyay Swasthya Bima Yojna (RSBY)

RSBY, also known as National Health Insurance Program, is a government run health insurance scheme for the Indian poor. It provides cashless insurance for hospitalisation in public as well as private hospitals. Initially both public as well as private sector insurers could operate under the scheme, but recently only the public sector insurers have been given the mandate to continue with the scheme. The scheme was not only used by the private insurers as a mechanism to reach out to more customers, but also for building their brand in the hinterlands where they may not have a branch operation. In the light of these developments, there has been some uncertainties regarding the scheme. Also with the private sector out, a huge chunk of the business has been transferred to the public sector.

According to latest information, the government will take a call on whether to continue RSBY after September this year. Speculations are also rife that the scheme may be put under a trust. Realizing the impact potential of this scheme on the lives of poor families, our team has been constantly working towards helping the poor get the smart cards using which they can use medical services in the hospitals. The AIPAD team has spread awareness about the SMART cards being made in Panchayats and immediately coordinated with the concern officials engaged in making of cards. AIPAD mobilized the community in camps so that maximum number of people could avail its benefit. During the facilitation of this process the team became aware that the BPL list being used by the insurance company is of 2002 and due to which many BPL families are not able to take the benefit of RSBY Scheme. The AIPAD team has been working tirelessly in this domain and the table provides the detailed picture of the number of smart cards being issued to the people under RSBY with our effort -

Block	Panchayats	Total no of BPL Families	Total No. of Cards Made
Jagdishpur	Baijani	1932	1072
	Jamani	1322	367
<b>Total</b>		<b>3254</b>	<b>1439</b>
Kahalgaon	Antichak	850	865
	Ghogha	1505	1166
	Ogri	1668	645
<b>Total</b>		<b>4023</b>	<b>2676</b>
Pirpanti	Manikpur	682	502
	Rajgaon	1413	649
	Rifatpur	1982	1497
<b>Total</b>		<b>4077</b>	<b>2648</b>
Shahkund	Amba	185	442
	Dhaspur	817	297
	Kishanpur Amkhori	654	517
<b>Total</b>		<b>1656</b>	<b>1256</b>
Sanhoula	Badinaki	929	450
	Bhuriya Mahiyama	630	544
<b>Total</b>		<b>1559</b>	<b>994</b>



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