

# **Annual Report 2011**

**Information Commission of Bangladesh**

**(Translated version of Bangla Annual Report from Chapter 1-6)**



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## **Executive summary**

Freedom of thought, conscience and speech are identified as the significant fundamental human rights by article 39 of the Constitution of the People's Republic of Bangladesh. Having considered the right to information as the precondition of ensuring civil liberties, the Government of Bangladesh enacted the Right to Information (RTI) Act, 2009. The foremost aim and objective of this Act is to reduce corruption and ensure good governance, transparency and accountability in all public and private organizations. The government, in order to facilitate the rapid implementation of the RTI Act, established the Information Commission and appointed all necessary officials soon after issuing the Act. Such enthusiastic and valiant endeavor of the government was highly appreciated both in home and abroad, hence boosted the image of the country. However, the responsibility of implementing the RTI Act, though largely lies on the Information Commission, the other influential institutions of the society e.g. private organizations, corporate offices, print and electronic media, public representatives, politicians and the general people are responsible to assist in the implementation of this Act as well.

The Information Commission, as like the past years, has taken initiative to publish an annual report this year, which is also an obligation of the Commission by Section 30 of the RTI Act. Situation and progress of the RTI Act implementation would be imparted to the nation through submitting this report to the Honorable President of Bangladesh.

According to the RTI Act, it is obligatory to appoint a Designated Officer in every government and non-government organization who would provide the sought information to the applicants following the regulations and exceptions of the law in exchange of the determined fee. If the Designated Officer fails to provide information within 20 (twenty) working days from receiving the request, the applicant can forward the appeal to the Appellate Authority, and failing to obtain information from there would allow the person to file a complaint to the Information Commission. The Commission therefore will imply the authority of the Civil Court to summon the involved parties and resolve the issue through conducting hearing process and other formalities. However, it is important for every organization to preserve all necessary information in order to provide them to the applicants when sought and to publish and present their activities pro-actively to keep people informed and updated.

The Right to Information Act 2009 is special due to some reasons. The RTI Act of Bangladesh has bestowed the authority to the Information Commission to summon any individual to the Commission and to order presenting all necessary oral or written evidences to the complainant or the respondent. If found guilty, the Commission can fine any officer; can suggest the concerned management to take departmental action and if applicable, can order to compensate the complainant.

After its establishment, the Information Commission took the endeavor to issue the 'Right to Information (obtaining information) Regulations, 2009' and the amendment of the 'Right to Information (obtaining information) Regulations, 2009'. Afterward, the Commission provided necessary guideline in issuing the 'Right to Information (information preservation and management) Regulations, 2010' which included categorizing and indexing system to preserve and manage information, and the 'Right to Information (publishing and distributing information) Regulations, 2010' which

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emphasized pro-active distribution of information to the general mass by the government and non-governmental organizations in order to make information easily attainable. Furthermore, The Commission facilitated in enacting the ‘Information Commission (Officials and Staffs) Service Regulations, 2011’, and the ‘Right to Information (filing complaint and resolution) Regulations, 2011’ as a guideline to the Commission for solving complaints. To promote the above mentioned regulations in all government offices of Bangladesh, Ministers/Secretaries of all ministries and departments have been requested to provide necessary directions to their concerned ministries/secretariat.

The Information Commission is putting relentless effort to implement the Right to Information Act and ensure the right to information of people. In order to create mass awareness about the law, the Commission, in collaboration with the Chiefs of various organizations, representatives of NGOs, public representatives, civil society and media, has organized several public sensitization programs, both in urban and rural areas all over the country. In addition, training programs have been conducted in district and village levels to enhance the efficiency of the Designated Officers of the government/non-governmental organizations in executing their liability of providing information to the public. 51 such training sessions have been conducted in the districts throughout the country where 2299 Designated Officers have received necessary training on the rules and regulations of RTI Act. More than 10,000 Designated Officers from various government/non-governmental organizations have been appointed till December, 2011 to provide information and their names and contact addresses have been uploaded in the Information Commission’s website. The Information Commission has established its own server station to preserve its information database and supervise the website. The Commission has arranged opinion sharing meetings with the Secretaries of all ministries in order to accelerate the implementation of the RTI Act. The print and electronic media is providing consistent support to the Information Commission in carrying out its activities. The Commission has determined its objectives and working persistently to attain utmost accomplishment. The Chief Information Commissioner, Information Commissioners, Secretary and other officials and staffs of the Commission are working vigorously to implement the RTI Act in every organization of Bangladesh. A number of private and corporate organizations are also facilitating the implementation of RTI Act in collaboration with the Commission.

The Information Commission sought for various information to the government and non-governmental organizations, such as, the situation of RTI Act implementation in the country, the number of appeals made using the Act and ratio of providing information, number of filed complaints and dispositions , the amount of fee collected from providing information, the petitions filed in the Commission and their resolutions, initiatives taken by the authority to implement the Act and the recommendations of improving the RTI Act in establishing the civil right to information . The collected reports portray that, most of the appeals for information were made regarding land and land management issues, hospital and health care, government service, administration and legal cases, local government organizations, educational organizations, agriculture, fisheries and livestock, relief and rehabilitation, social service and social security etc.

The total number of collected applications from all over the country starting from 1<sup>st</sup> January, 2011 to 31<sup>st</sup> December, 2012 using the RTI Act prescribed form is 7808. Among them, 7671 applications were submitted to the government authorities and 137

to the NGOs, which demonstrate 98.25% and 1.75% of the total collected applications successively. Out of all applications, 7616 (97.54%) appeals have been responded with the sought information, 104(1.33%) applications are pending and 88 (1.12%) applications have been discarded. The rejected appeals are minimal in number as most of the applications have been responded with information. No case of taking action against any Designated Officer was found in any report. However, one official has been fined tk. 1000/- (One thousand) as he was proved culpable at the end of the hearing of a petition in Information Commission. Since its establishment, the Commission has taken 44 complaints into account amongst the 104 filed complaints. 60 complaints have been discarded by the Commission as they were found faulty. In every case of rejecting a complaint, the Complainant has been notified through letter informing the cause of refusal of his/her petition and advised to follow specified rules and regulations while filings a petition in future.

The accumulated reports show that, an amount of tk. 20, 15,832 has been collected from various authorities as the fee of providing information under the jurisdiction of the RTI Act, 2009. The highest amount of revenue, which is tk. 19, 89,000, has been earned the Bangladesh Public Service Commission since the initiation of the RTI Act. Further analysis of the reports reveals that, most of the officials provided information in free of cost. The Commission would soon direct the concerned Designated Officers to judge whether the information was worth providing free of charge and take necessary measurements in future.

Five ministries to have received the highest number of applications for information are:

- (a) Public Service Commission under the Ministry of Public Administration (1831)
- (b) Railway Ministry (598)
- (c) Ministry of Finance and Economy ( 357)
- (d) Ministry of Water Resource (60), and
- (e) Ministry of Information (18)

Top five districts having received maximum number of applications are:

- a) Comilla (1921)
- b) Brahmanbaria (1062)
- c) Rangpur (523)
- d) Naogaon (302), and
- e) Rangamati (253)

Top five non-governmental organizations to have received the highest number of applications are:

- a) Society of Renaissance (42)
- b) Transparency International, Bangladesh (TIB) (25)
- c) BRAC (18)
- d) Wave Foundation (7), and
- e) Shocheton Shahajyo Shongstha (6)

In the fiscal year of 2011-2012, the Information Commission has spent tk. 73.51 lakh out of the allotted budget of tk. 720.73 lakh. The Commission could not disburse the whole budget due to the incomplete employment process of the officials in all vacant positions.

The suggestions received from the different ministries, district administration, various government bodies and non-governmental organizations to the Information Commission regarding the effective implementation of the RTI Act is being summarized below:

- In order to raise awareness among the officials about the RTI Act, 2009, the Chief Information Commissioner/Information Commissioners/ Secretary should participate in the opinion exchange meetings of the Cabinet Division and in the various seminars organized in the divisional and district levels. The implementation strategies of RTI Act should be included in the seminar and meeting agendas as well.
- Training programs should be conducted to encourage the officials working with the print and electronic media to appeal for information using the RTI prescribed format.
- Necessary measurements should be taken to avail a simple version of the RTI Act to the general people and to encourage all government/non-governmental organizations to follow, practice and implement the Act.
- Consciousness should be created among the information providers and receivers regarding the RTI Act.
- Some important terms of the law should be thoroughly defined and some conditions, such as the objective to seek information should be included in the RTI prescribed application.
- Proviso on punishment should be included in the RTI Act in order to prevent manipulating the attained information.
- The RTI Act should be compatible with the other administrative rules and regulations.
- Extensive initiatives should be taken to create awareness in the grassroots level on this new Act.
- The applicants should be discouraged to appeal for information without specific reason and precautionary measurements should be adopted to prevent misusing the law.
- Separate fund should be allotted in every organization for providing information.
- Training sessions and positive demonstrations should be promoted to increase the consciousness of the general mass including the Designated Officers and the applicants.
- The RTI Act should be incorporated in the academic curriculums and training manuals of various organizations.
- Mutual interaction between the people of every class and profession of the society should be encouraged to remove the traditional culture of secrecy.
- A guideline of assigning Designated Officers and a manual on their duties and responsibilities should be issued.
- Pro-active disclosure of information should be encouraged and the decisions of the ministry and departments should be uploaded in their websites.
- Unicode should be used in cases of uploading information into websites.
- Steps should be taken to connect ‘Grievance Redress System’ with the RTI Act implementation process.

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- ‘Information Providing Section’ should be established in all government, non-government and autonomous institutions and necessary manpower should be assigned or recruited.
- Branch of the Information Commission should be established at the divisional administrative level.
- The RTI Act implementation process should be monitored on regular basis.
- Appealing documentary films should be projected in assistance with the electronic and print media as well as the District Information Offices to attract the general people of the district, union and village levels.
- Necessary manpower, office equipments and funds should be allocated in order to facilitate the Designated Officers in carrying out their responsibilities smoothly.
- The general people should be encouraged to be involved in collecting information from various organizations.
- 1<sup>st</sup> July of every year should be celebrated as the ‘Right to Information Day’ in order to raise awareness among people on right to information, therefore should arrange rallies, meetings and seminars at the district and sub-district levels.
- Campaigns should be conducted through the print and electronic media to increase mass consciousness and printed forms should be distributed properly among various organizations.
- Notice boards containing information of the Designated Officers, Appellate Authority and the address of the Information Commission should be hanged in every government and non-governmental organizations.
- Mass awareness programs, such as public drama, cultural shows, rallies etc should be arranged and posters, leaflets and billboards should be distributed in order to make the Act popular among the people.

Right to Information (RTI) Act, 2009 is the outcome of a long-term process. The RTI Act and the activities of the Information Commission of Bangladesh have generated massive interest within the nation. Apart of the government, the non-governmental and international organizations, print and electronic media and the corporate institutions are assisting the Information Commission in its endeavor. However, a long way lies ahead of the Commission as the nation holds high expectations regarding their rights. In order to establish transparency, accountability, good governance and to reduce corruption, every individual should come forward to ensure implementing the right to information.

## **Chapter 1**

### **Right to Information Act and Establishment of Information Commission**

#### **1.1 Background of the Right to Information:**

Freedom of thought, conscience and speech are identified as the significant fundamental human rights by article 39 of the Constitution of the People's Republic of Bangladesh. The right to obtain information is an integral part of civil liberties. It is recognized as one of the important elements of empowering human, which is obligatory to enhance transparency and accountability in government, statutory and constitutional organizations as well as private institutions run by government or foreign funding. It is believed that proper implementation of the RTI Act would reduce corruption and establish good governance. From this observation and belief, the government of the People's Republic of Bangladesh has enacted the Right to Information Act (RTI) in 2009, established the Information Commission as the law implementing authority and appointed all necessary officials. Such enthusiastic and valiant endeavor of the government was highly appreciated both in home and abroad, hence boosted the image of the country. However, the responsibility of implementing the RTI Act, though largely lies on the Information Commission, the non-governmental organizations and the general people are responsible as well to assist in the implementation of this Act. People should learn this law and its applications to enjoy its benefits, therefore should come forward to ease the path of their empowerment.

Though only two years have been passed since the establishment of the Information Commission, the history of the right to information movement is quite long. In order to strengthen the democratic system, the Press Council recommended enacting the RTI Act in 1983. In 2002, the Law Commission decided promulgating the RTI Act and in continuation, submitted a draft outline to the government in 2003. At a time, the civil societies, representatives of NGOs, print and electronic media, prosecutors, politicians, educationists and many others raised their voice and prepared a platform in favour of the RTI Act. Followed by this movement, the RTI Ordinance was issued in 20th October, 2008 after executing all relevant formalities. The present Government, in pursuing their political commitment, passed the Right to Information Act, 2009 in the first assembly of the 9<sup>th</sup> National Parliament and the Act was published as an Official Gazette on 6<sup>th</sup> April, 2009.

As per provision under section 30 of the Act, the Information Commission has to publish an annual report every year highlighting the performance of last year and submit the report to the Hon'ble President. Therefore, as like the past years, The Commission has taken initiative to publish an annual report this year as well. Current implementation condition of the RTI Act, number of received applications, number of provided information, appeal made to the respective authorities, fees received by providing information, complaints filed to the Commission and decisions, initiatives taken by the authorities to implement the Act, various recommendations of reformation and citizen's right to information have been portrayed in this report. Besides, the activities of the Commission, attained successes, executed initiatives to accelerate the implementation process of the RTI Act such as meetings, open forums, seminars, workshops, published articles, essays, reports along with some other publications have

also been included in the report. It is believed that the report would be successful in depicting the implementation process of RTI Act and the activities of the Information Commission to the people. In order to boost up the future operations of the Commission, the earnest cooperation of government as well as non-governmental organizations, corporate institutions, civil society and the citizens is highly desired.

### **1.2 Status of RTI Act in the SAARC Countries**

Among the SAARC Countries, Pakistan was the first to issue an ordinance in 2002 namely “Freedom of Information Ordinance, 2002”. But the country failed to assert and implement the Act due to various national and administrative complications. Similarly, SAARC country Sri Lanka, being subjected to their prolonged civil war, could not compile any law regarding the information right. On the other hand, Nepal has issued the RTI Act in 2007 and has granted the decision of including the right to information as a part of the constitutionally defined fundamental rights. Correspondingly, Bhutan, in spite of initiating activities to establish right to information, has not been able to enact the law so far. Same is in Maldives where RTI Act has not been issued yet. In addition, Afghanistan has initiated establishing this law in the midst of emergency situation. India, being one of the SAARC countries, issued the RTI Ordinance in 2002. Later on, after observing the problems of the RTI Ordinance, 2002, the country enacted an amended the Right to Information Act in 2005.

Bangladesh, by enacting the Right to Information Act, 2009 unanimously in the very first assembly of the 9<sup>th</sup> National Parliament, has achieved appreciation from the international entities. Besides, the civil societies, human rights workers, print and electronic media, journalists of the country and many more have highly praised and welcomed this Act.

### **1.3 Progress status of Allocation of Land and own Office**

The Information Commission in 2009 started functioning from a three room accommodation in the National Institute of Mass Communication under the Ministry of Information. Later the office of the Commission was shifted to the 2<sup>nd</sup> floor of the Building of Archeology under the Ministry of Cultural Affairs. At present the Commission is navigating its operation from this building. In 2010, a plot numbered as F-17/D consisting 0.35 acres of land was sanctioned in the name of the Commission to build up its own premises. As a down payment of the allotted land, the Commission has already disbursed taka 6363637.00 (sixty three lakh sixty three thousand six hundred and thirty seven). Once the land is surrendered and all necessary formalities have been executed, the edifice of the Information Commission would be erected above this land in the near future.

### **1.4 Status of the Organizational Structure and Manpower**

The TO&E of the Commission comprising 76 staffs was approved in 2009. Therefore, with the approval of the respective authority and reference to the memo of the Ministry of Information তম-প্রেস-২/ সাংবাদিক-১/২০০৫ (অংশ-২)/৭৮৭ dated 27.07.2010, 76 posts were incorporated in the Revenue sector on temporary basis. After publishing the ‘Recruitment Regulations of Information Commission (Officer and Staff) 2011’ in the official gazette, a vacancy announcement was advertised to recruit 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> class officers and staffs in February 2011. Consequently, 30 officers and staffs have already

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been appointed to the Commission. The rest of the recruitment is under process and expected to be completed soon.

The organizational structure of the commission is being displayed in **Annexure A**.

## **List of the officers and staffs currently working at Information Commission:**

## Chapter 2

### Right to Information Act and some relevant matters

#### 2.1 Important Sections of the RTI Act, 2009

##### 2.1.1 Important Definitions (Section 2)

- **Information:** ‘Information’ means – any memo, book, design, map, contract, data, log book, order, notification, document, sample, letter, report, accounts, project proposal, photograph, audio, video, drawing, painting, film, any instrument done through electronic process, machine readable record, and any other documentary materials regardless of its physical form or characteristics, and any copy thereof in relation to the constitution, structure and official activities of any authority. Thought it is provided that, it shall not include note-sheets or copies of note sheets.
- **Right to Information:** ‘Right to Information’ means - the right to obtain information from any authority which can be accessed through printed/photocopy/written/e-mail/fax/CD or other permitted process.
- **Authority:** ‘Authority’ means - (a) any organization constituted in accordance with the Constitution of the People’s Republic of Bangladesh (b) any ministry, division or office established under the Rules of Business made under Article 55 (6) of the Constitution of the People’s Republic of Bangladesh (c) any statutory body or institution established by or under any Act (d) any private organization or institution run by foreign aid in grant (e) any organization or institution that undertakes public functions in accordance with any contract made on behalf of the Government or made with any public organization or institution, or (g) any organization or institution as may be notified in the official gazette from time to time by the Government.
- **Information Providing Unit:** ‘Information Providing Unit’ means – head office, divisional office, regional office, district office or sub-district office of any department, directorate or office attached to or under any ministry, division or office of the Government and head office, divisional office, regional office, district office or sub-district office of the other authorities.
- **Designated Officer:** ‘Designated Officer’ means - the officer responsible to provide information. To do so, all authorities, within 60 (sixty) days after commencement of this Act, shall appoint a designated officer for each of the information providing unit and shall inform the Information Commission by writing the names, designation, address and, in case where applicable, fax number and e-mail addresses of the appointed designated officer within 15 (fifteen) working days from the date of such appointment. A designated officer discharging his duty under this Act may seek assistance from any other officer and the officer whose assistance is sought shall be bound to extend necessary

help to the officer-in-charge. Then, such other officer shall also be deemed to be the officer-in-charge for determining the liability under this Act.

- **Third Party:** ‘Third Party’ means – any other party associated with information, other than that applying for information or any authority providing such information.
- **Appellate Authority:** ‘Appellate Authority’ means - in case of an information providing unit, the administrative head of its immediate superior office; or if there is no superior office of such unit, the administrative head of that unit.

### **2.1.2 Responsibilities of the Authorities according to the Right to Information Act:**

- every authority shall publish and publicize all information pertaining to any decision taken, proceeding or activity executed or proposed by indexing them in such a manner as may easily be accessible to the citizens.
- in publishing and publicizing information, no authority shall conceal any information or limit its easy access.
- every authority shall publish a report every year which shall contain the following information:
  - particulars of its organizational structure, activities, responsibility of the officers and employees, or description and process of decision making;
  - lists of all laws, Acts, Ordinance, rules, regulations, directives, manuals, etc. of the authority including the classification of all information lying with the authority;
  - description of the terms and conditions under which a citizen may get service from the authorities in obtaining any license, permit, grant, consent, approval or other benefits and of such conditions that require the authority to make transactions or enter into agreements with him;
  - particulars of the facilities ensuring right to information of the citizen, and the full name, designation, address, and, in cases where applicable, fax number and e-mail address of the assigned officer.
- if the authority frames any policy or takes any important decision, it shall publish such policies and decisions and shall, if necessary, explain the reasons and causes in support of such policies and decisions.
- the report prepared by the authority shall be made available free of charge for public information and its copies shall be stocked for sale at nominal price.
- all the publications made by the authority shall be made available to the public at reasonable price.
- the authority shall publish or publicize the matters of public interest through press note or through any other means.
- the Information Commission shall, by regulations, frame instructions to be followed by the authority for publishing, publicizing and obtaining information and all the authorities shall follow them.

### **2.1.3 Responsibilities of the Designated Officer according to the Right to Information Act:**

- the designated officer shall, on receipt of a request, provide the information to the applicant within 20 (twenty) working days from the date of receiving the request.
- if more than one unit or authority are involved with the information sought for, such information may be provided within 30 (thirty) working days.
- if the designated officer, due to any reason, fails to provide the information sought for, he shall inform the applicant the reason thereof in writing within 10 (ten) working days.
- if the requested information is relating to the life and death, arrest and release from jail of any person, the Officer-in-charge shall provide preliminary information thereof within 24 (twenty-four) hours.
- where the Officer-in-charge fails to provide information within the timeframe, it shall be presumed that the request for information has been rejected.
- when any information sought for is available with the Officer-in-charge, he shall determine a reasonable price of that information and shall request the applicant to pay the price within 5 (five) working days.
- where an Officer-in-charge thinks that the request made for information is appropriate, and such information has been supplied by a third party or a third party's interest is involved in it and the third party has considered it as secret information, the Officer-in-charge shall cause a notice to be served upon the third party within 5 (five) working days for written or oral opinion, and if the third party gives any opinion in response to such notice, the Officer-in-charge shall take into consideration such opinion and make a decision in respect of providing information to the applicant.
- no request for information may be totally rejected on the ground that it is associated with information that is not mandatory for publication, and the portion of the requested information which is not mandatory for publication and is reasonably separable from the portion shall be provided to the applicant.
- where access to the record or a part thereof is required to be provided to a perceptual handicapped, the Officer-in-charge shall provide assistance to him to enable him to access such information and such assistance shall deem to include any assistance which is required for such inspection.

### **2.1.4 Procedures to Appeal for Accessing and Providing Information :**

- a person may apply to the Officer-in-charge requesting for information either in writing or through electronic means or through e-mail.
- the request made under sub-section (1) shall include the following information, namely:
  - name, address of the person making request, in applicable cases, his fax number and e-mail address;
  - correct and clear description of the information sought for;
  - other related information so that the location of the information sought for may be easily found out;
  - description of the modes how he wants to have the information that is making inspection, having copy, taking note or any other approved method.

- the request for information shall be made in a form printed by the authority. Provided that if the form is not printed or is not easily available, request may be made for information by inserting information mentioned in sub-section (2) on a piece of white paper, or in electronic form or through e-mail.
- in the case of obtaining information, the person making the request shall pay reasonable fees as may be prescribed by the Officer-in-charge for such information.
- the Government may, in consultation with the Information Commission, fix the fees for having any information by notification in the official Gazette, and, if necessary, may fix the price of information, or as the case may be, may exempt an individual or a class of individuals or any other class from paying such price.
- every authority shall prepare and publicize a list of information to be supplied free of cost upon an instruction of the Information Commission.

#### **2.1.5 Supremacy of the Right to Information Act and the Empowerment of People:**

According to the RTI Act, 2009 if any case of providing information collides with the Official Secrets Act, then this Act has the authority to supersede those rules (section 3). Section 3 of the RTI Act, 2009 goes as followed:

**“Of any existing law – (a) the provisions of providing information shall not be affected by the provisions of this Act; and (b) the provisions of creating impediment in providing information shall be superseded by the provisions of this Act if they become conflicting with the provisions of this Act.”**

The provision of the section 3 has been included in the RTI Act to remove the impediments created from the various existing laws in order to maintain consistent flow of information. For instance: the section 5 (1) of the Official Secrets Act 1923 was enacted to maintain defense and strategic privacy. In most cases, the Government Authorities use this section showing as a reason of not providing information. Section 5 (1) also includes that, if any individual, possessing information regarding any secret matter under his control (a) exchanges the information willingly, (b) uses the information (c) sells the information or (d) fails to take balanced care of that information, then the individual would be considered as a lawbreaker as stated by that section. Such impediments in providing information have been removed by including section 3 in the RTI Act.

Similarly, it is stated in the Rule 19 of the The Government Servants (Conduct) Rules, 1979 that- ‘A Government servant shall not, unless generally or especially empowered by the Government in this behalf, disclose directly or indirectly to Government servant belonging to other Ministries, Divisions or Departments, or to non-official persons or communicate any information which has come into his possession in the course of his official duties, or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise’. This barrier has also been removed.

Direct or indirectly imposed restrictions in providing information can be found in some other enduring acts and rules of the country. The Rule 28 (1) of the Rules of Business, 1996 says that ‘No information acquired directly from official documents or relating to official matters shall be communicated by a Government servant to the press, to non-

officials or even officials belonging to other Government offices, unless he has been generally or specially empowered to do so.' But the RTI Act has removed all such existing impediments in the process of making information accessible.

According to the Section 3, if any individual appeals to get information under the provision of the RTI Act, then all or similar restrictions aforesaid would become dormant and therefore, would be denied. The right to accessing information of people has been ensured by the section 4 of the RTI Act and the authorities are mandatorily obligated to provide the sought information under the section 7 of the RTI Act. Thus, the RTI Act would empower the people of this country by encouraging the practice of asking and obtaining information. So it can be said that, the RTI Act carries the controlling key from the hold of the state to the people and this Act should be considered as a vital instrument of achieving the rights of people provided in other acts.

### **2.1.6 Exercised Exceptions in Providing Information:**

No authority shall be bound to provide with the following information, namely:

- (a) any such information that may, if disclosed, cause a threat to the security, integrity and sovereignty of Bangladesh;
- (b) any such information relating to any aspect of foreign policy that may affect the existing relationship with any foreign country or international organization or any regional alliance or organization;
- (c) any secret information received from a foreign government;
- (d) any information relating to inherent secrets of commercial or business nature, copyright or intellectual property right that may, if published, affect the intellectual property right of a third party;
- (e) any of the following information that may, if disclosed, be gainful or damaging to any particular individual or organization, namely:
  - a. any advance information about income tax, customs, VAT and law relating to excise duty, budget or change in the tax rate;
  - b. any advance information about changes relating to exchange rate and interest rate;
  - c. any advance information about the management and supervision of the financial institutions including banks;
- (f) any such information that may, if disclosed, obstruct the enforcement of law or incite any offence;
- (g) any such information that may, if disclosed, endanger the security of public or impede the due judicial process of a pending case;
- (h) any such information that may, if disclosed, offend the privacy of the personal life of an individual;
- (i) any such information that may, if disclosed, endanger the life or physical safety of any person;
- (j) any such information given in confidence to any law enforcement agency by a person;
- (k) any matter pending before any court of law and which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;

- (l) any such information that may, if disclosed, impede the process of investigation;
- (m) any such information that may, if disclosed, affect any investigation process of offence and the arrest and prosecution of offender;
- (n) any such information which is, according to law, liable to be published only for a certain period of time;
- (o) any such information that is generated through technical or scientific experiment, and is expedient to keep secret for strategic or commercial reasons;
- (p) any such information pertaining to a purchase process before it is complete or a decision has been taken about it;
- (q) any such information that may be prejudicial to the special rights of the House of the Nation;
- (r) any secret information of a person which is protected by law;
- (s) any advance, information relating to question papers of an examination or marks given;
- (t) any document including summaries to be placed before the Cabinet or, as the case may be, before the Council of Advisers and information relating to discussions and decisions of such meetings;

Provided that after taking any decision by the Cabinet or, as the case may be, by the Council of Advisors, the reasons of taking such decisions and the basis upon which the decisions are taken may be disclosed, and that the concerned authority shall take prior approval from Information Commission for withholding information under this section.

#### **2.1.7 Capability of the Information Commission:**

- (1) the Information Commission shall, subject to the provision of this Act, receive, inquire into and dispose complaint mentions below:
  - (a) non-appointment of an officer-in-charge by any authority, or its refusal to accept a request for information;
  - (b) refusal of any request for information;
  - (c) a request for information has been left unattended or no information received within the time-limit specified under this Act;
  - (d) if the applicant is asked for a fee or compelled to pay an amount of fee which he considers to be unreasonable;
  - (e) if the applicant is provided with incomplete information or such information that appears to be misleading or false; and
  - (f) any other matter relating to requesting or obtaining information under this Act.
- (2) the Information Commission may, on its own accord or upon a complaint, conduct an inquiry regarding the complaint raised under this Act.
- (3) the Information Commission, or as the case may be, the Chief Information Commissioner or Information Commissioners, may exercise such powers as a civil court may exercise under the Code of Civil Procedure, 1908 (Act V of 1908) in respect of the following matters, namely:
  - (a) to issue summons to enforce the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or other things;
  - (b) to examine and inspect information;
  - (c) to receive evidence on affidavit;
  - (d) to bring in any information from any office;

- (e) to issue summons for witnesses or documents; and
- (f) any other matter prescribed by rules for carrying out the purposes of this Act.
- (4) notwithstanding anything contained contrary in any other law, while inquiring after a complaint under this Act, the Information Commission or, as the case may be, the Chief Information Commissioner or the Information Commissioners may examine on spot any information relating to the complaint kept in the custody of any authority.

#### **2.1.8 The Functions of the Information Commission:**

- to issue directives for the preservation, management, publication, publicity of and access to information by authority;
- to formulate guidelines and directives as to the preservation and implementation of the right to information of the citizens;
- recommend/suggest to the government for the preservation and implementation of the right to information:
  - to consider the provisions recognized under the Constitution of the People's Republic of Bangladesh or any other law for the time being in force and recommend to the Government for their effective implementation by indicating the impediments;
  - to conduct research on the agreements relating to the right to information and other international instruments and to recommend to the Government for their implementation`;
  - to make necessary recommendation to the appropriate authority in order to ensure the harmonization of the prevailing law with the international instruments;
  - to suggest the Government to ratify or sign any international instrument on right to information;
  - to advice and provide assistance to the Government in order to make necessary laws and administrative directives, etc;
- to conduct research on preservation and implementation of the right to information and to assist the educational and professional institution for conducting such research;
- to publish and publicize the issue relating to the preservation and implementation of the right to information and to increase their awareness by any other means and to do so, conducting research, seminars, symposiums, workshops and similar other measures and disseminate the result obtained from the research.;
- to advise and provide assistance to the Government in order to make necessary laws and administrative directives for preservation and implementation of right to information;
- to give the authority technical and other assistance with a view to ensuring right to information;
- to establish a web portal for Bangladesh to ensure right to information.

#### **2.1.9 Procedures of Receiving and Disposing Appeal Applications:**

- if any person fails to receive information within the time specified or is aggrieved by a decision of the officer-in-charge may, within 30 (thirty) days from the expiry of such period, from the receipt of such a decision, prefer an appeal to the appellate authority.
- the appellate authority for any reasonable ground, may accept the appeal even after the expiry of the specified time.
- the appellate authority shall within 15 (fifteen) days of the receipt of the appeal direct the concerned officer-in-charge to supply the appellant the requested information; and dismiss the appeal if it is not considered fit for acceptance.
- the Officer-in-charge on being directed to supply information by the appellate authority shall, within a specific time, provide the appellant with the requested information.

#### **2.1.10 Procedures of the Information Commission to Receive and Dispose Complaints:**

- any citizen of Bangladesh may lodge a complaint to the Information Commission for any of the following reasons namely:
  - if he gets no information under sub-section (1) of section 13;
  - if he is aggrieved by the decision on his appeal under section 24;
  - if he gets no information within the time-limit mentioned in section 24 or, as the case may be, gets no decision about providing information
- a complaint may be lodged to the Information Commission at any time in respect of any matter mentioned in sub-section (1) of section 13, and within 30 (thirty) days from the date of such decision or, as the case may be, the date of exceeding the time-limit in respect of any matter mentioned in section 24.
- the Information Commission, for any reasonable cause, may accept the appeal even after the expiry of that time.
- if the Information Commissioner is satisfied upon a complaint or otherwise that any authority or, as the case may be, any Officer-in-charge has failed to do an act in accordance with the provisions of this Act, it may take action against such authority or, as the case may be, such Officer-in-charge.
- on receipt of a complaint, if it is required, the Chief Information Commissioner himself shall enquire into the complaint or delegate the duty to any other Information Commissioner to enquire into the same.
- during the enquiry into any complaint, the authority or the Officer-in-charge against whose decision the complaint is lodged, shall be given an opportunity to present arguments in support of his decision.
- if a third party is involved in the complaint, the Commission shall also give such third party an opportunity to present his statements.
- the Information Commission shall, in general, dispose of any complaint within 45 (forty-five) days of receiving such complaint, provided that the time limit of disposing of a complaint shall not, in any way exceed more than 75 (seventy-five) days.

### **2.1.11 Imposition and Collection of Fines:**

- The Information Commission may impose or realize fines with reference to the disposal of any compliant on the following grounds:
  - if the Officer-in-charge has refused to receive any request for information or an appeal without assigning any reason;
  - has failed to provide information to the applicant or to make decision within the time-limit determined by the Act;
  - has refused to receive a request or an appeal with mala fide intention;
  - has provided wrong, incomplete, confusing and distorted information in place of the information that was sought for;
  - has created impediments in receiving information.
- the Information Commission may impose fine for per day 50 (fifty) taka from the date of doing such action by the Officer-in-charge to the date of providing information up to maximum 5000 (five thousand) taka. The Information Commission shall, before imposing any fine, give the Officer-in-charge an opportunity of hearing.
- the Information Commission, in addition to imposing fine, recommend the concerned authority to take departmental action against the officer, treating his such act to be a misconduct, and may request the authority to inform the Information Commissioner about the action taken last in respect of this manner.

### **2.2 Specialty of Right to Information Act, 2009:**

The Right to Information Act, 2009 of Bangladesh owns a number of extraordinary characteristics. Unlike the other laws, this Act has preserved the rights for the perceptual handicapped individuals by adding a separate sub-section. The sub-section 9(1) states that ‘the officer-in-charge shall provide assistance to the perceptual handicapped individuals to enable him/her accessing information when sought.’

The Information Commission may exercise the authority of the Civil Court under the Code of Civil Procedure, 1908 (Act V of 1908). Under this law, the Commission can summon any individual to be physically present at the Commission premises and oblige them to submit oral or written evidences/deeds/documents. Also, the provision of fining a Designated Officer if found responsible to hinder the information providing process, has been included in the Act.

According to the RTI Act, 2009 the Information Commission of Bangladesh is an independent and statutory institution. Many countries of the world are still behind in establishing a separate Commission to implement their right to information law.

### **2.3 Rules and Regulations regarding the Right to Information Act, 2009:**

To ensure effective implementation of the RTI Act, the Information Commission has been authorized to issue necessary rules and regulations. Since its operation, the Commission has issued the following rules and regulations: Right to Information (accessing information) Rules, 2009; Amendment of the Right to Information (accessing information) Rules, 2009; Right to Information (management and preservation of information) Regulations, 2010; Information Commission (Officials

and Staffs) Rules of Service, 2011; Right to Information (publishing and publicizing information) Regulations, 2011 and Right to Information (filing complaint and settlement process) Regulations, 2011. Preserving information through classification and index system has been instructed through issuing the Right to Information (management and preservation of information) Regulations, 2010. Guidelines to publish information pro-actively and publicizing information through media have been imparted to the government and non-governmental institutions by issuing the Right to Information (publishing and publicizing information) Regulations, 2011. Also, the Commission has authorized Right to Information (filing complaint and settlement process) Regulations, 2011 which is being utilized as the guideline of disposing complaints of the applicants. In order to make these rules and regulations easily accessible, copies of them have been delivered to the nationwide government offices and have been uploaded to the Commission's website. In addition, the Commission has ordered every ministry and the subordinate offices to follow these rules and regulations.

## **Chapter 3**

### **Initiatives to Implement the Right to Information Act**

#### **3.1 Public Sensitisation Meetings:**

With the endeavor of the Information Commission, a number of public sensitization meetings and trainings for the Designated Officers were organized in different districts. The meetings and trainings took place in the following districts till October, 2011: Comilla, Munshigonj, Faridpur, Narail, Gazipur, Manikgonj, Magura, Gopalgonj, Narayangonj, Rajbari, Khagrachhori, Jessore, Madaripur, Narsingdi, Natore, Sirajgonj, Rangpur, Bogura, Hobigonj, Moulvibazar, Kushtia, Chuadanga, Meherpur, Chapainwabgonj, Naogoan, Dhaka, Mymensingh, Kishoregonj, Netrakona, Sherpur, Rajshahi, Gaibandha, Lalmonirhat, Nilphamari, Kurigram, Dinajpur, Thakurgoan, Panchagarh, Brahminbaria, Barisal, Bagerhat, Bandarban, Sylhet, Rangamati, Khulna, Satkhira, Noakhali, Pabna, Jamalpur, Jhenidah and Cox's Bazaar.

Besides, divisional meetings and trainings have been organized in Dhaka, Rangpur, Sylhet and Comilla. Sub-divisional meetings took place in Comilla Adarsha Sadar, Burichang, Chawddagram, and Comilla Sadar (South). Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir, Information Commissioners Secretary (Rtd.) M. A. Taher and Prof. Dr. Sadeka Halim and Secretary of the Information Commission Mr. Nepal Chandra Sarker were present as the Chief Guests at these sub-divisional programs.

#### **3.2 Assigning Designated Officers:**

Since the enforcement of the RTI Act, 2009, the Information Commission has been sending letters to the respective departments of government and non-governmental offices to appoint Designated Officers. In addition, different ministries and departments have been repeatedly requested to take proper measures in this regard through issuing official/ semi-official letters and in various discussion forums. The DO letters have been sent to the Hon'ble Ministers of the different ministries on behalf of the Chief Information Commissioner. It is to be noted that more than 10 thousand Designated

Officers have been assigned in various government and non-governmental offices till December, 2011. The complete list of the Designated Officers of the country has been uploaded in the web portal of Information Commission ([www.infocom.gov.bd](http://www.infocom.gov.bd)) and the list is expanding gradually with the flow of time. According to the Information Commission's website (till December, 2011), 7904 Designated Officers have been assigned in the government offices and 2470 in the 571 non-governmental offices i.e. a total of 10374 Designated Officers are working to provide information throughout the country.

### **3.3 Training of the Designated Officers in district and other levels:**

Information Commission has been organizing trainings for the Designated Officers throughout the country. These meetings have been arranged in district level in assistance with the Deputy Commissioners and in Information Commission with the endeavor of Commission. Previously, 434 Designated Officers of 8 districts of Rangpur Division in Rangpur, 258 Designated Officers of 6 districts of Sylhet Division in Sylhet, 165 in Jhinedah, 102 in Satkhira, 173 in Khulna and 88 Designated Officers in Noakhali received necessary training on the RTI Act, 2009. Later, 173 Designated Officers in Pabna, 129 in Jamalpur, 89 in Natore, and 398 in Comilla were trained **on the same regard**. In addition, 152 Designated Officers in the first phase and 52 Officers from various ministries in the second phase i.e. a total of 2299 Designated Officers received training on the RTI Act, 2009 at the Information Commission's premises. Apart of the Commission, different NGOs have trained also their Designated Officers respectively.

### **3.4 Opinion sharing Meetings with the Secretaries of the Ministries:**

In December 2011, the Information Commission and a non-government organization namely Management and Resource Development Initiative (MRDI) collectively organized a number of opinion sharing meetings with 52 Secretaries of the government. The meetings were held on 3/12/2011, 10/12/2011, 17/12/11 and 28/12/2011. 13 Secretaries of 13 particular ministries/divisions along with 13 Designated Officers of the respective ministries were invited to join in each meeting. All of the meetings took place in the conference room of the Information Commission from 10 am to 1pm with the Secretaries and from 2 pm to 5 pm with the Designated Officers to train on the RTI Act, 2009. In the meeting of 3/12/2011 the Hon'ble Minister of the Ministry of Information and Culture Mr. Abul Kalam Azad was present as the Chief Guest. Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir in the meeting of 10/12/2011, Hon'ble Minister of the Ministry of Law Judiciary and Parliament Barrister Shafiq Ahmed on 17/12/2011 and Hon'ble Minister of the Ministry of Agriculture Begum Matia Chawdhury on 28/12/2011 were present as the Chief Guests. Chief Information Commissioner chaired three meetings and Information Commissioner Secretary (Rtd.) M. A. Taher chaired one meeting.

Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir, Information Commissioner Secretary (Rtd.) M. A. Taher and Prof. Dr. Sadeka Halim and Secretary of the Commission Mr. Nepal Chandra Sarker delivered their speeches on different aspects of the RTI Act and shared opinion with the Secretaries. Alike the Commissioners, Executive Director of MRDI Mr. Hasibur Rahman was present in the meeting and shared his opinion. Prospects, challenges and the ought-to-dos of the

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different authorities regarding the RTI Act were thoroughly discussed in the above mentioned meetings.

### **3.5 Installation of own Server Station of the Information Commission:**

To navigate its own web portal and to increase the use of information technology in the official works, the Information Commission has installed its own server station worth Tk. 2697200.00 (Twenty six lakh ninety seven thousand and two hundred). Installation of the server with the capacity of 2000 gigabyte was completed in December 2011. Since the Commission owns a server of its own, the operations of the Commission's web portal is now being executed by its own manpower instead of the Bangladesh Computer Council (BCC), consequently the speed and effectiveness of the portal is escalating. This server has opened up the opportunity to be linked with the important websites of the country to the Commission, which would result in enhancing the ability of the Commission to provide information services.

### **3.6 Statistics of Visiting the Website of the Information Commission:**

Hon'ble Prime Minister of the Government of the People's Republic of Bangladesh inaugurated the website of the Information Commission namely [www.infocom.gov.bd](http://www.infocom.gov.bd) on 19<sup>th</sup> October, 2010. The website of the Commission was created in assistance with the Baqngladesh Computer Council (BCC), Access to Information Project of Prime Minister's Office and Grameen Phone. Recently, the web portal has been upgraded to a better version. A complete list of 10,000 Designated Officers from different government and non-governmental organizations has been uploaded in the website and is being maintained on regular basis. Activities of the Commission, the RTI Act 2009, duties of the Designated Officers, process to appeal for information, suggestions to easily access them and descriptions of some important subject matters are available in this web portal. Statistics reveal that more than hundred visitors from the different corners of the world browse the portal every day.

The statistics of the visit to the website is being given bellow.

Grid 3.6.1: Visits to the Website of the Information Commission

Date (From - To)	Visit	Page Views	Fresh Visitors	Number of visiting countries	Visit to the titles of the pages
<b>08/08/11 – 14/08/11</b>	886	3415	728	29	52/3415
<b>15/08/11 – 21/08/11</b>	724	2567	612	27	59/2567
<b>22/08/11 – 28/08/11</b>	705	2572	607	28	60/2572
<b>29/08/11 – 04/09/11</b>	450	1658	370	26	55/1658
<b>05/09/11 – 11/09/11</b>	907	2882	797	24	54/2882
<b>12/09/11 – 18/09/11</b>	1079	3813	882	28	58/3813
<b>19/09/11 – 25/09/11</b>	813	2971	669	34	58/2971
<b>26/09/11 – 02/10/11</b>	1030	3863	823	32	58/3863

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<b>03/10/11 – 09/10/11</b>	804	3165	685	26	58/3165
<b>10/10/11 – 16/10/11</b>	805	2966	664	31	57/2966
<b>17/10/11 – 23/10/11</b>	889	3070	707	33	61/3070
<b>24/10/11 – 30/10/11</b>	5258	14085	4515	34	60/14085
<b>31/10/11 – 06/11/11</b>	1159	3755	964	39	61/3755
<b>07/11/11 – 13/11/11</b>	586	2134	586	34	60/2134
<b>14/11/11 – 20/11/11</b>	1719	5352	1401	32	58/5352
<b>21/11/11 – 27/11/11</b>	5578	15413	4863	32	65/15413
<b>28/11/11 – 04/12/11</b>	3382	10278	2833	40	70/10278
<b>05/12/11 – 11/12/11</b>	1557	5358	1283	37	67/5358
<b>12/12/11 – 18/12/11</b>	3248	10183	2867	29	63/10183
<b>19/12/11 – 25/12/11</b>	5850	18660	5014	31	68/18660
<b>26/12/11 – 01/01/12</b>	2117	6687	1751	33	65/6687

### **3.7 Activities of media to implement the RTI ACT, 2009:**

Right to know and get information is one of the basic and eternal rights of human being. To recognize this right, the RTI Act, 2009 has been enforced in Bangladesh. In acquiescence with the prevalence and expansion of the Act, the print and electronic media are playing magnanimous roles. The national newspapers, online news papers, news agencies, television and radio channels have cordially responded whenever they have been invited to the Information Commission for press coverage. Consequently, the general mass are being conscious of the RTI Act by reading newspaper, watching TV, listening to radio or browsing internet and are coming forward to apply their rights.

Two of the mobile service providing companies i.e. Grameen Phone and Robi have stepped ahead to pursue their Corporate Social Responsibilities (CSR) by signing a Memorandum of Understanding (MoU) with the Information Commission. These operators have sent billions of SMS on the RTI Act, 2009 to raise public awareness. It is the generous cooperation of the Media which has made it possible for Bangladesh to rank as 13<sup>th</sup> among the 86 RTI implementing countries of the world in spite of incorporating the Act much later.

However, some significant programs, interviews, talk shows, essays and articles of the Chief Information Commissioner and the Information Commissioners, published and broadcasted by the media, are being highlighted below to shed light on the contribution of mass media of Dhaka toward the RTI Act. It is remarkable that the initiatives taken by the media outside of Dhaka are equally praiseworthy.

**3.7.1 Name of the majorly assisting media:**

PID, BSS, UNB, Banglanews 24.com, bdnews24.com, BBC, VOA, Daily Ittefaq, Kaler kantha, Prothom Alo, Jugantor, Somokal, Sangram, Noya Diganta, Amader Somoy, Jay Jay Din, Sangbad, Destiny, Bhorer Kagoj, Nawroje, Shwadhin Sangbad, Ajker Jonota, Daily Jono Sangbad, Narsingdir Kagoj, Daily Dandi barta (Narayangonj), Lokeshomaj (Jessore), Daily Sun, New Age, News Today, Financial Express, Daily Star, Independent, weekly Dhaka Courier, Probe Magazine, Eyes Today, Bank Beema Orthonity, BTV, ATN News, ATN Bangla, Channel I, Boishakhi TV, Bangla vision, ETV, RTV, Mohona TV, Desh TV, Diganta TV, My TV, Islamic TV, NTV, Somoy TV, Machhranga TV, Independent TV, Bangladesh Betar, Radio Today, ABC Radio, Radio Sundarban, etc.

**3.7.2 Important Events and Activities of the Information Commission:**

On 31/01/2011 Mr. William Hannah, Ambassador of European Union, met Ambassador (Rtd.) Muhammad Zamir, Chief Information Commissioner to exchange opinion on the RTI Act 2009 and various aspects of human rights, transparency and accountability in administration. The news was published in the Daily Star, Independent, etc. and telecasted in BTV.

On 15/02/2011 hearing of 7 complaints of the applicants took place in the Information Commission. The news was promulgated by ATN Bangla, Channel I, Boishakhi TV, Bangla vision, ETV, RTV, Desh TV, Diganta TV, My TV, Bangladesh Betar, Radio Today, Banglanews 24.com, Jugantor, Somokal, Amader Somoy, New Age, News Today, Independent, Sangbad, Sangram, Destiny, Bhorer Kagoj, etc.

On 23/02/2011 the media personnel were present in the 2<sup>nd</sup> hearing of the 7 complaints and published/telecasted the news in Kaler Kantha, Prothom Alo, Somokal, Sangram, Noya Diganta, Jay Jay Din, New Age, Daily Star, Independent, BTV, Desh TV, Diganta TV, Independent TV, Bangladesh Betar, ABC Radio, etc.

On 28/02/2011 an opinion sharing meeting on the “Role of Community Radio to Implement the RTI Act” took place in the conference room of Information Commission. The meeting was jointly organized by Information Commission and Bangladesh NGO’s Network for Radio and Communication (BNNRC). The news was circulated by Banglanews 24.com, Somokal, Daily Jono Sangbad, Daily Sun, New Age, Financial Express, Daily Star, Independent, ATN Bangla, Boishakhi TV, Bangla vision, ETV, My TV, Radio Today, ABC Radio, Radio Sundarban, etc.

On 22/03/2011 hearing of 6 complaints of the applicants was conducted in the Commission. The news was published and telecasted by Somokal, Noya Diganta, New Age, Daily Star, Independent, BTV, Desh TV, Diganta TV, etc.

On 17/04/2011 hearing of 6 complaints of the applicants took place in the Information Commission. The news was promulgated by Banglanews 24.com, Somokal, News Today, Daily Star, Sun, Independent, BTV, ATN Bangla, Channel I, Bangla vision, Mohona TV, Radio Today, ABC Radio, etc.

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On 18/04/2011 the media personnel were present in the hearing of 5 complaints and published/telecasted the news in Kaler Kantha, Jay Jay Din, Amader Somoy, ATN Bangla, Machhranga TV, BTV, etc.

On 19/04/2011 a discussion forum on the “Role of Media in Effective Implementation of the RTI Process” organized in collaboration with the Information Commission and Bangladesh Enterprise Institute (BEI) took place in Information Commission. The journalists from Banglanews 24.com, Prothom Alo, Jugantor, Somokal, PID, UNB, Daily Sun, Financial Express, Daily Star, Independent, BTV, ATN Bangla, Channel I, Boishakhi TV, Bangla Vision, ETV, Bangladesh Betar, Radio Today and ABC Radio participated in the forum and published the news.

On 15/05/2011 a discussion forum on “Present Status of Implementing the RTI and the Role of NGOs” was held in Information Commission. The forum was jointly organized by the Information Commission and Manusher Jonno Foundation. Representatives from different NGOs and institutions participated in the forum. The news was promulgated by Banglanews 24.com, Daily Sun, New Age, Daily Star, Independent, BTV, ATN Bangla, Channel I, RTV, ETV, Diganta TV, Bangladesh Betar, Radio Today and ABC Radio.

On 09/08/2011 several media personnel were present in the hearing of 5 complaints and published/telecasted the news in Bangladesh Betar, Radio Today, ABC Radio, Banglanews 24.com, Somokal, Desh TV, BTV, etc.

On 08/09/2011 the Information Commission disseminated decision under the RTI Act, 2009 on the complaint against the Civil Surgeon Office, Narayangonj. The office gave confusing and a segment of the whole information. After the hearing process, the Designated Officer was penalized with a fine of Tk. 1000.00 (one thousand). The news was promulgated by Daily Prothom Alo, Somokal, Daily Sun, New Age, Daily Star, Independent, BTV, ATN Bangla, Channel I, Desh TV, Machhranga TV, Bangladesh Betar, Radio Today and ABC Radio. Later, the penalized officer submitted a writ petition in the High Court and in response the court dismissed the petition. This news was also published in the print and electronic media.

On 25/09/2011 the Chief Information Commissioner met Swedish Ambassador Anneli Linkahl Kenny and discussed the implications of the RTI Act, 2009. At the end of the meeting the Chief Information Commissioner presented some books as souvenir to the Swedish Ambassador. The news was published by BTV and some other media.

On 16/10/2011 an experience sharing meeting was held in Information Commission with a visiting team from USA. The meeting was initiated by USAID Progati. The meeting was focused on the Freedom of Information Act of USA, proactive disclosure of Information and preservation of information in the government offices of USA. The news was promulgated by Banglanews 24.com, Daily Prothom Alo, Daily Star, BTV, ATN Bangla, DeshTV, Boishakhi TV, Bangladesh Betar and ABC Radio.

On 31/10/2011 hearing of 2 complaints took place in Information Commission. Banglanews 24.com, Prothom Alo, Somokal, Daily Sun, New Age, Daily Star and Radio Today published and broadcasted the news.

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On 23/11/2011 the British Ambassador Robert Winington Gibson met the Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir at Information Commission. They shared their opinions on right to information and some other bilateral issues.

On 23/11/2011 the Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir delivered his speech in a seminar on “Human Rights and Decent Work” organized by European-Bangladesh Civil Society. The New Age along with some other media published the news.

On 3/12/2011, 10/12/2011, 17/12/11 and 28/12/2011 a number of opinion sharing meeting took place with 13 secretaries of 13 ministries/divisions and 13 Designated Officers of the respective ministries and divisions in each meeting. Those meetings took place in the conference room of the Information Commission. In these meetings, Hon’ble Minister of the Ministry of Information and Culture Mr. Abul Kalam Azad, Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir, Hon’ble Minister of the Ministry of Law Judiciary and Parliament Barrister Shafiq Ahmed and Hon’ble Minister of the Ministry of Agriculture Begum Matia Chawdhury were present as the Chief Guests respectively. Chief Information Commissioner chaired three meetings and Information Commissioner Secretary (Rtd.) M. A. Taher chaired one meeting.

Journalists from print and electronic media facilitated the prevalence and expansion of this news immensely. The media have played a great and important role in introducing the RTI Act and Information Commission with the general mass. Such generous promulgation of the decisions and activities of the Information Commission in media have significantly helped to make people and government/ non-government officials to know about the Act. Therefore, the Commission expresses its wholehearted gratitude to the owners, officers, artists and correspondents of the print and electronic media for their contributions.

### **3.8 Roadmap to Implement the RTI Act:**

Information Commission has formulated a roadmap for the fiscal year of 2011-2012 to implement the RTI Act, 2009. In accordance with the roadmap, the Information Commission will pursue the following activities starting from July 2011 to the end of June 2012:

- Assigning Designated Officers
- Conducting public sensitization meetings
- Conducting trainings on the RTI Act, 2009 for the Designated Officers
- Dissolving Complaints
- Recruiting staffs
- Disclosing information proactively
- Sending SMS & voice SMS
- Displaying scrolls in TV
- Composing *Jaree Gaan* (Traditional Folk song)
- Staging short plays on RTI
- Organizing workshops/seminars
- Publishing annual report, newsletters and other publications

- Directing researches on RTI

### **3.9 Distribution of Publications on the RTI Act and RTI:**

With the effort of Information Commission, the RTI Act, 2009 and relevant publications have been distributed to all tires (Ministry to Sub-division) of Government offices of Bangladesh. In July, 2011 a compilation (book) on RTI Act 2009, Rules of RTI (of receiving information) Act, 2009 and some important questions-answers were sent to the Secretaries of every ministry and division in order to distribute them among the Chiefs and the Designated Officers of the offices under their administration. 100 copies of the above publications were sent to the Divisional Commissioners to distribute among the office Chiefs and the Designated Officers working in divisional level. Similarly, 75 copies were sent to the District Commissioners and 25 copies to the sub-divisional offices to distribute them among the subordinate offices.

Copies of the Annual Report 2010 of the Information Commission were sent respectively to all of the ministries, divisions, Divisional Commissioners, Deputy Commissioners, Sub-divisional Executive Officers, important print and electronic media offices and NGO offices in July 2011.

Alike the Annual Report, in November 2011, the ‘RTI (preservation and management of information) Regulation 2010’ and the ‘RTI (publishing and prevalence of information) Regulation 2010’ enforced by Information Commission were sent to the Secretaries in order to distribute them among the ministries and divisions; and to the District Commissioner to make them accessible in the district and sub-district level. It is expected that the concerned authorities will follow these rules and regulations of Information Commission, thus will be encouraged to disclose information proactively.

### **3.10 Activities of the Commissioners of Information Commission (internal):**

The activities and initiatives executed by the Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir, Information Commissioner Secretary (Rtd.) M. A. Taher and Prof. Dr. Sadeka Halim and Secretary of the Commission Mr. Nepal Chandra Sarker are being presented below:

#### **A. Ambassador (Rtd.) Muhammad Zamir, Chief Information Commissioner :**

##### **Summary of the public sensitization meetings and workshops held on the RTI Act, 2009 in Panchagarh and Rangpur Districts on 08/02/2011 and 09/02/2011**

On 08/02/2011 the Chief Information Commissioner participated in a public sensitisation meeting and workshop on the RTI Act, 2009 organized by the Deputy Commissioner of Panchagarh. The meeting followed by the workshop was held in the District Shilpkola (Art/ Cultural) Academy. During his visit to Panchagarh, Secretary of the Commission Mr. Nepal Chandra Sarker and Mr. Mohammad Delwar Hossain, Personal Secretary to Information Commissioner Secretary (Rtd.) M. A. Taher accompanied him. The meeting started at 4 pm and ended in the evening. Mr. Bonomali Bhawmic, Deputy Commissioner of Panchagarh participated in the meeting as the chairperson. The Superintendent of Police and the Mayor of Panchagarh were the special guests of the meeting. About 300 representatives from different tires of

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professions e.g. officers from different government offices, sub-district executive officers, sub-district chairmen, assistant commissioners (Land), freedom fighters, NGO and media representatives, teachers, students, prosecutors, sub-district vice-chairmen, civil society representatives and local elites participated in the meeting. Deputy Commissioner, Superintendent of Police, Mayor and Freedom Fighters shared their speeches on right to information. Later, Mr. Nepal Chandra Sraker discussed and shaded light on the RTI Act. In his intuitive presentation, the Chief Information Commissioner depicted the important aspects of the Act. He shared the history of the RTI Act of Bangladesh with the audience. Afterward, he facilitated a question-answer session to eliminate the confusions regarding the Act. At the end of the meeting he left Panchagarh to conduct the next session in Rangpur.

On 09/02/2011 the Chief Information Commissioner participated in a training and workshop session on the RTI Act, 2009 as the Chief Guest. The workshop was organized by the Divisional Commissioner of Rangpur Division. The program started at 9 am in the morning in Rangpur Town Hall and ended at 5 pm. Secretary of the Information Commission, Divisional Commissioner, Additional Divisional Commissioner (General), Deputy Commissioners, Superintendent of Police, Additional Deputy Commissioner (General), Sub-district Executive Officers and Additional Superintendent of Police were present in the meeting. About 434 trainees from different offices participated in the workshop held in two phases. The Chief Information Commissioner thoroughly discussed the Act and emphasized providing information without harassing the applicants. Secretary of the Information Commission Mr. Nepal Chandra Sarker portrayed various important sections of the Act to the audience. At the end of the training session he conducted a troubleshooting round, thus clarified the confusions of the audience.

### **Summary of the public sensitization meetings and workshops held on the RTI Act, 2009 in Sylhet Districts on 20/04/2011**

On 20/04/2011 the Chief Information Commissioner participated in a public sensitization meeting and workshop on the RTI Act, 2009 in Sylhet. He was honoured as the Chief Guest of the program where Information Commissioner Prof. Dr. Sadeka Halim was present as the Special Guest. The meeting and workshop were organized by the Divisional Administration of Sylhet Division. Divisional Commissioner Mr. N. M. Ziaul Alam chaired the meeting. DIG of Sylhet Range Mr. Mokbul Hossain Bhuyan, Deputy Commissioner of Sylhet Mr. Abu Syed Mohammad Hashim Superintendent of Police Mr. Mohammad Shakhwah Hossain were present in the meeting. About two hundred and fifty representatives from different tires of professions e.g. officers from divisional and district level government officers, local representative, freedom fighters, NGO and media representatives, teachers, students, prosecutors, civil society representatives and local elites were present at the meeting. The discussion of the meeting focused on role of the concerned authorities to ensure transparency and accountability using the RTI Act, 2009 and the strategies of implementing the Act. The Chief Information Commissioner answered to the questions and queries raised by the audience. Afterward, training on the RTI Act was conducted in two sessions to facilitate the Designated Officers of Sylhet Division. 147 officers from Sylhet and Sunamgonj district participated in the first session and 114 officers from Hobigonj and Moulvibazar took part in the second session. Important sections of the RTI Act, various

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aspects of implementation and duties of the Designated Officers and other concerned authorities were the key contents of the training sessions. Information Commissioner Prof. Dr. Sadeka Halim proficiently conducted both of the training sessions.

### **Lecture given by the CIC in National Defense College**

On 14<sup>th</sup> November, 2011, Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir delivered his lecture on “National Security, Right to Information and Human Rights” in National Defense College. About 53 officers ranked as Brigadier General and Joint Secretary from 10 countries (Bangladesh, China, Egypt, India, Jordan, Malaysia, Nigeria, Saudi Arabia, Srilanka and Tanzania) attended the training session.

Chief Information Commissioner analyzed the definition and features of National Security in the training session. Alike the invasion by the antagonist countries, socio-economic insecurity of a country may affect their national security. He mentioned that social security, infiltration of small arms and drugs, degradation in law and order situation, poverty, food security and mutiny may affect the national security of a country besides the conventional assumptions. He discussed the influence of the institutions such as political parties, print and electronic media, civil society, intelligence department, Anti-Corruption Commission, law and peace-keeping forces, defense, Foreign Ministry and judiciary bodies on preserving national security.

While delivering lecture on the definition and nature of human rights, the Chief Information Commissioner highlighted some reasons which work behind violating human rights, such as corruption, violation towards woman, woman and child trafficking, natural calamities, river erosion, migration to urban areas, extra-judicial killings, disruption of the rights of the minorities and small ethnic communities. He also discussed the importance and usefulness of the right to information through his lecture. He particularly focused on section 7, section 9 (4) and section 32 of the RTI Act, 2009 of Bangladesh. For the sake of greater national interest and humanity, everyone should be involved and conscious about protecting human rights, he opined.

### **A seminar on “Experience sharing on RTI implementation: A Piloting Case of BPATC-MJF collaboration”**

**Jointly organised by the Manusher Jonno Foundation and the World Bank at**

**BRAC Centre**

**Inn, Dhaka on 22  
October 2011**



Chief Information Commissioner Muhammad Zamir speaks at a seminar, "Experience Sharing on RTI implementation: Piloting case of BPATC-MJF collaboration", at Brac centre in the city yesterday. Manusher Jonno Foundation (MJF) organised the event.

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Ambassador (Rtd.)**

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Muhammad Zamir was the chief guest. BPATC Rector AZM Shafiqul Alam, WB governance specialist Charles Undeland, and Ashraf Hossain, Director General of the Directorate of Women Affairs were special guests. The meeting also included designated officers and some NGO representatives who had been trained under the aforementioned project.

It may be recalled that fifty-nine Designated officers from eight government departments were trained under the project jointly undertaken by the MJF and BPATC to help implement the Act. Besides them, 57 staff members from five non-governmental organizations and seven training institutes also received training in Manikganj under the pilot project.

In her statement, Shaheen Anam, Executive Director of MJF, highlighted the following points: the goal of the project, concept of the project, methods to implement the project, findings, evaluation, challenges and outcome/lessons from the pilot project.

In the open discussion, participants commented on the pilot project activities and their experience of RTI Act 2009. Their suggestions included the following needs: training of the local journalists for proper implementation of RTI Act 2009, allocation of adequate funds and the necessity to increase the training period for designated officers, coordination with media for effective implementation of RTI Act including the publication of correct reports in the media, pro-active delivery of the requested Information by the designated officers, providing of training for all designated officers and appellate authorities as well as high officials to realize the importance of the RTI Act, enhancing the Information supplier capacity through Information availability and mass publicity. This, it was underlined, would ensure that “supply creates its own demand”

Ashraf Hossain, Director General of the Directorate of Women Affairs, former Member Directing Staffs (MDS) of BPATC, said that people would seek Information whenever they realized that it concerned their life and livelihood. BPATC Rector AZM Shafiqul Alam said that training should be given to government officials particularly because many of them did not have sufficient knowledge about the RTI Act. Besides, the designated officers should be trained to differentiate between valuable and unnecessary Information.

Charles Undeland, Senior Governance Specialist of World Bank also spoke at the seminar and reiterated the resolve of the World Bank to support any initiative undertaken to further the RTI process.

Ambassador (Rtd.) Muhammad Zamir, Chief Information Commissioner, stated that transparency was required for all institutions both governmental and non-governmental. In this context he also highlighted the need for accountability of the judiciary and intelligence agencies. This would ensure good governance. He also mentioned that in keeping with principles of good governance, the tender documents and expenditure for all infrastructure projects (including the Padma Bridge) undertaken by the government should be made public to ensure accountability and transparency. Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir also suggested that the designated officers should be provided with necessary materials to enable them to provide suitable Information to people in an efficient manner. He urged the officers to

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uplink the Information provided to respective websites or notice boards so that these are available to Information seekers in the future. Such a step would also help maintain a record of Information provided and be seen as a pro-active step.

### **A consultation meeting on “Global Right to Information Index”**

**Hosted by Article 19, Bangladesh at CIRDAP auditorium, Dhaka on 1<sup>st</sup> November 2011**

Article 19, an international organization associated with the implementation of the RTI process is planning to launch a global right to Information index. This program was organized to consult with stakeholders about the indicators that will be used to analyze the manner by which different people access to Information in different countries (where the RTI Act exists). The discussants included representations from the Ministry of Information, leading non-government organizations working in the field of governance and right to Information and representatives from international development partners of the government. Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir was the Chief Guest. Dr. Iftekharuzzaman, Executive Director, Transparency International Bangladesh (TIB) and Dr. Asif Nazrul, Associate Professor, Department of Law, University of Dhaka were Special Guests. This program was chaired by Tahmina Rahman, Country Director, Article 19 Bangladesh.

In the meeting, the Chief Information Commissioner pointed out that, governmental agencies should be pro-active in providing Information to the citizens. He suggested that respective governmental and non-governmental organizations should uplink necessary Information pro-actively to their respective websites. The citizens could then obtain the requisite Information on websites and would not have to go to offices seeking Information. CIC then stated that many positive developments and improvements had taken place with regard to the RTI process in Bangladesh since the Right to Information law came into force. He added that government departments, semi governmental organisations and NGOs had appointed more than 10,000 designated officers to facilitate the functioning of the RTI matrix. Their names were available in the Information Commission official web portal. Grameen Phone and Robi Axiata had also helped the Commission by providing free short message services to raise citizens' awareness about RTI. More than 200 million such free SMS messages had been issued over the last 10 months.

CIC also suggested increasing the efficiency of designated officers by posting some of them, if necessary for few days in the Information Commission. This would enable them to address challenges more efficiently.

Dr. Iftekharuzzaman, Executive Director of Transparency International Bangladesh (TIB) in his speech said, “Enforcement of law is the biggest challenge as we have cultural, institutional and historical causes to obstruct the free flow of Information”. He also mentioned that Bangladesh had secured 12th position among the 89 countries regarding the status of the RTI Act leaving behind many developed countries such as Sweden. However, the index does not necessarily mean that the condition relating to free flow of Information is better in Bangladesh. However, he pointed out, the index

could help Bangladesh to develop its RTI law by comparing with the laws of other countries.

Tahmina Rahman, Country Director, Article 19, Bangladesh said, “The Global Right to Information Index will assist countries to evaluate RTI laws across the world. It will encourage better understanding of their structural strengths and weaknesses”. It would, she said, also enable policy makers at different levels to have the capability to compare legal provisions between countries.

Asif Nazrul, Professor of Law of Dhaka University, said that the index at times reflected the actual situation.

In the open discussion many of the participants expressed views that there was a common attitude in our country to hold back information and this needed to be overcome.

## **B. Information Commissioner Secretary (Rtd.) M. A. Taher**

**B.1) On 26/01/2011** Information Commissioner Secretary (Rtd.) M. A. Taher participated in a public sensitization and opinion sharing meeting on the RTI Act, 2009 as the Chief Guest. The meeting was organized by the administration of Comilla Sadar (South) Sub-district. The Program took place in the sub-district auditorium from 3 pm to 6 pm. Sub-district Executive Officer of Comilla Sadar Mr. Md. Khorshed Alom chaired the meeting. Deputy Commissioner of Comilla Mr. Md. Rezaul Ahsan, Mayor of the municipality, Principal of the college, Vice Chairman of Sub-district Council and Sub-district Commander of Freedom Fighters attended the program as the Special Guests. About 350 representatives from different organizations and institutions participated in the meeting. Information Commissioner Secretary (Rtd.) M. A. Taher delivered his speech on the RTI Act, 2009 and illustrated his opinion through a power point presentation. Later, he answered to the questions and qualms of the officials and audience.

**B.2) On 27/01/2011** Information Commissioner Secretary (Rtd.) M. A. Taher conducted two training sessions on the RTI Act, 2009 in Bangladesh Academy for Rural Development (BARD) from 11 am to 12.30 pm and from 12.30 pm to 2 pm. 50 BCS (Health) Cadres participated in the first session and 47 officers attended the second session. At the end of the even he answered to the written questions of the officers.

**B.3) On 06/03/2011** being invited by the Regional Public Administration Training Center (RPATC) authority, Information Commissioner Secretary (Rtd.) M. A. Taher facilitated two training sessions namely “Impact of RTI in Good Governance, Human Rights and Poverty Reduction” and “Information

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Distribution/Dissemination System before Introduction of RTI” respectively from 11.15 am to 1.15 pm and from 2.30 pm to 4.30 pm. There were about 50 participants in the training sessions. He answered to the written questions of the participants at the end of the event.

**B.4) On 24/03/2011** being invited by the President of Bangladesh Enterprise Institute (BEI), Information Commissioner Secretary (Rtd.) M. A. Taher participated in a workshop on “Challenges Pertaining to the Effective Implementation of the RTI Process” as a discussant. About 100 representatives from different organizations attended the workshop.

**B.5) On 03/04/2011** a sensitisation and opinion sharing meeting on the ‘RTI Act, 2009 was organized by Burichong Sub-district administration of Comilla district which took place at the sub-district conference room from 3.30 pm to 7.30 pm. Information Commissioner Secretary (Rtd.) M. A. Taher participated in the meeting as the Chief Guest. The meeting was chaired by Mr. Bijoy Kumar Devnath, Sub-district Executive Officer, Burichong. Deputy Commissioner of Comilla Mr. Md. Rezaul Ahsan, Vice Chairman of Sub-district Council, Chairman of Union Council and Sub-district Commander of Freedom Fighters were present in the occasion as the Special Guests. About 300 representatives from different organizations and institutions participated in the meeting. Information Commissioner Secretary (Rtd.) M. A. Taher delivered his speech on the RTI Act, 2009 and illustrated his opinion through a power point presentation. Later, he answered to the questions and qualms of the officials and audience.

**B.6)** Bangladesh Academy for Rural Development (BARD) authority invited Information Commissioner Secretary (Rtd.) M. A. Taher to conduct a training session on the RTI Act, 2009. Information Commissioner conducted the training session in BARD seminar room from 11 am to 1 pm **on 04/04/2011**. 50 officers of BCS (Health) Cadre participated in this 80<sup>th</sup> special foundation training course. Later the Information Commissioner replied to the written questions of the participants.

**B.7) On 25.05/2011** Information Commissioner participated in a sensitization and opinion sharing meeting on the RTI Act, 2009 in Comilla as the Chief Guest. The meeting was organized by the Chowddagram sub-district administration. The meeting took place in the sub-district conference room from 3 pm to 7 pm. Sub-district Executive Officer of Chowddagram Mr. Md. Motahar Hossain chaired the meeting. ADC (General) Dr. Md. Abdul Mannan, Mayor, Chairman of Sub-district Council and Sub-district Commander of Freedom Fighters were present in the occasion as the Special Guests. About 300 representatives from different tires of professions e.g. officers from different

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government offices, Vice Chairman of Sub-district Council, Assistant Commissioners (Land), Freedom Fighters, NGO and media representatives, teachers, students, prosecutors, civil society representatives and local elites participated the meeting. Information Commissioner Secretary (Rtd.) M. A. Taher delivered his speech on the RTI Act, 2009 and illustrated his opinion through a power point presentation. Later, he answered to the questions and qualms of the officials and audience.

**B.8) On 23/05/2011** the Bangladesh Academy for Rural Development (BARD) authority invited Information Commissioner Secretary (Rtd.) M. A. Taher to conduct a training session on the RTI Act, 2009 from 11 am to 1 pm in BARD seminar room. As a part of their 80<sup>th</sup> foundation training course, about 48 officers of BCS (Health) Cadre participated in the program. Later the Information Commissioner replied to the written questions of the participants.

**B.9) On 19/06/2011** the Information Commissioner attended a sensitisation and opinion sharing meeting on RTI Act, 2009 as the Chief Guest. The meeting was organized by the district administration of Noakhali. It was held in the District Shilpokola Academy from 10 am to 2.30 pm. District Commissioner of Noakhali Mr. Md. Sirajul Islam chaired the meeting. ADC (General), Mayor of the municipality and the Principal of the college were present as the Special Guests in the occasion. About 150 representatives from different organizations and institutions e.g. officers from different government offices, Vice Chairman of Sub-district Council, Assistant Commissioners (Land), freedom fighters, NGO and media representatives, teachers, students, prosecutors, civil society representatives and local elites participated in the meeting. Information Commissioner Secretary (Rtd.) M. A. Taher delivered his speech on the RTI Act 2009 and illustrated his opinion through a power point presentation. Later, he answered to the questions and qualms of the officials and audience.

**B.10) On 20/06/2011** Information Commissioner Secretary (Rtd.) M. A. Taher conducted a training session with the Designated Officers of Noakhali on the RTI Act, 2009 organized by the district administration of Noakhali. The meeting took place in the Conference Room of the Deputy Commissioner of Noakhali from 9 am to 3 pm. About 88 participants received training though this program. Later, the Information Commissioner replied to the written questions of the participants.

**B.11) On 26/06/2011** the MRDI authority invited Information Commissioner Secretary (Rtd.) M. A. Taher to deliver his speech on “Using RTI Act to Investigate Corruption” in a training session arranged for the journalists. The Commissioner shared his view about the role of Information Commission and

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portrayed a clear picture of the RTI Act, 2009 to the 40 journalists from different parts of Bangladesh. Later, he answered to the written questions of the participants.

**B.12)** Being invited by the Bangladesh Academy for Rural Development (BARD) authority, the Information Commissioner conducted a training session on the RTI Act, 2009 in BARD seminar room from 11 am to 1 pm **on 18/09/2011**. As a part of their 83<sup>rd</sup> and 84<sup>th</sup> special foundation training course, 48 officers of BCS (Health) Cadre and as part of 86<sup>th</sup> special foundation training course, 79 Engineers of LGED participated in the training session. Later, the Commissioner replied to the written questions of the participants.

**B.13) On 28/09/2011** Information Commissioner Secretary (Rtd.) M. A. Taher attended a round table meeting as an invited guest on the observations regarding the right to information at 10.30 am in the BRAC Center Inn. Manusher Jonno Foundation was also in partnership in organizing the event. Hon'ble Minister of the Ministry of Information, Hon'ble Chief Information Commissioner and 100 representatives from different organizations and institutions participated in the meeting. The Information Commissioner participated in the analytical discussion and presented a work paper in the meeting.

**B.14) On 10/10/2011** being invited by the authority of the Land Administration Training Center, Information Commissioner Secretary (Rtd.) M. A. Taher conducted a training session on the RTI Act, 2009 where 25 Assistant Commissioners/Assistant Commissioners (Land) participated and received training on 'Land Law and Land Management' as well as right to information. Later, the Commissioner replied to the written questions of the participants.

**B.15) On 15/10/2011** Information Commissioner Secretary (Rtd.) M. A. Taher attended a discussion forum on "Child Rights to Information" and a scholarship giving ceremony as the Chief Guest. The forum was organized by the Kindergarten Association of Pabna. The forum took place in the auditorium of Government Edward University College of Pabna and was chaired by Mr. Fazleh Mazid Murad, Convener of the Association. Deputy Commissioner of Pabna Mr. Mustafizur Rahman, Head of the Department of Chemistry of Government Edward University College of Pabna Professor Radha Ballav Sarker, Professor Shamima Jahan of University Women's Federation College of Dhaka were present in the event as the special guests.

**B.16) On 16/10/2011** Information Commissioner Secretary (Rtd.) M. A. Taher conducted two training sessions for the Designated Officers of Pabna on the RTI Act, 2009 organized by the district administration of Pabna. The sessions took place in the DC Conference Room of Pabna from 9.30 am to 5.30 pm. About 173 participants received training through this program. The Information Commissioner replied to the written questions of the participants at the end of the training sessions.

**B.17) On 17/10/2011** Information Commissioner Secretary (Rtd.) M. A. Taher participated in a sensitization and opinion sharing meeting on RTI Act, 2009 as the Chief Guest organized by the district administration of Pabna. The event took place in Pabna Bandhan Community Center from 10 am to 2 pm. ADC (Education) of Pabna Mr. Md. Abdur Rouf chaired the meeting. Civil Surgeon, ADC (General) Mr. Md. Rezaul Karim and Former MP Begum Ferdous Ara were the Special Guests of the meeting. About 300 representatives from different organizations and institutions, Officers from different government offices, Vice Chairman of Sub-district Council, Assistant Commissioners (Land), freedom fighters, NGO and media representatives, teachers, students, prosecutors, civil society representatives and local elites participated in the meeting. Information Commissioner Secretary (Rtd.) M. A. Taher delivered his speech on the RTI Act, 2009 and illustrated his opinion through a power point presentation. Later, he answered to the questions and qualms of the officials and audience.

**B.18)** Being invited by the Bangladesh Academy for Rural Development (BARD) authority, **on 23/10/2011** from 11 am to 1 pm, Information Commissioner Secretary (Rtd.) M. A. Taher conducted a training session on the RTI Act, 2009 in BARD seminar room. As a part of their 85<sup>th</sup> special foundation training course, 48 officers of BCS (Health) Cadre and as part of 86<sup>th</sup> special foundation training course, about 40 Engineers of LGED participated the traning session. Later the Information Commissioner replied to the written questions of the participants.

**B.19) On 25/10/2011** the Director General of the Bureau of Family Planning invited Information Commissioner Secretary (Rtd.) M. A. Taher to join a day long workshop on the RTI Act, 2009. About 50 officers of the bureau participated in the workshop. Through power point presentation the Information Commissioner delivered his speech and analyzed the RTI Act, 2009.

**B.20)** A three days long training course on the RTI Act, 2009 for the Designated Officers took place in the conference room of Deputy Commissioner of Comilla from **21/11/2011 to 23/11/2011**. The course was organized by the district administration of Comilla. The Chief Information Commissioner was the Chief Guest and the Information Commissioner Secretary (Rtd.) M. A. Taher was the Special Guest in the inaugural session. Deputy Commissioner of Comilla Mr. Md. Rezaul Ahsan Chaired the session. About 97 Designated Officers from district Sadar and Comilla Model Sadar Sub-district participated in the inaugural training session.

Hon'ble Chief Guest of the event appreciated the effort of the Deputy Commissioner and respective officers for organizing the training program. He described the history and background of the RTI Act, 2009. In addition to this, he focused on the following points:

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- to be conscious about establishing the fundamental rights through using the RTI Act, 2009
- to stop corruption in every sphere of administration through enhancing transparency and accountability
- to maintain cordial attitude and willingness in providing information to the applicants by the concerned authorities
- the Designated Officers should be cordial and responsible enough to remove the barriers of providing information
- necessary initiatives should be taken by every organization to preserve information

The Special Guest thanked the Deputy Commissioner and all other officers of Comilla District for arranging the training session for the Designated Officers and for publishing a booklet providing their information within a minimal duration. Comilla has become a model of Bangladesh for achieving impressive progress in education, culture, agriculture and cooperatives. With regard to this, he expressed that Comilla would be the role model in the field of implementing the RTI Act, 2009 and providing information. In order to uproot the barriers imposed by the Official Secret Act, 1923, the RTI Act, 2009 has been enacted to ensure constitutional responsibilities of the Government officials and employees to people, enhance administrative transparency and accountability, decrease corruption and establish good governance and sustainable democracy. Below, some key points of his speech are being mentioned:

- the Designated Officers have to perform their duties with a mindset to serve people
- everybody should be cordial enough to implement the RTI Act
- websites should be regularly updated providing necessary and current information
- updated and complete lists of the Designated Officers must be displayed publicly through website

In his remarks as the Chairperson of the session, Mr. Md. Rezaul Ahsan, Deputy Commissioner of Comilla, thanked the Chief Information Commissioner and Information Commissioner for their kind presence in the training session. He expressed his belief that the training session would encourage the Designated Officers to be more enthusiastic in providing Information. In addition, he informed that:

- 450 Designated Officers have received necessary training
- a booklet have been published providing the information of the Designated Officers
- the booklets will be updated regularly
- incessant flow of information is essential to reduce corruption from the administration
- more sensitization programs on the RTI Act, 2009 should be proactively organized in the sub-district level
- the Designated Officers should be rewarded when they carry out additional duties

- the Designated Officers should be facilitated with necessary components in obeying their duty of providing information

Amid the participants of the event, UNO Sadar Sub-district Ms. Fatema Begum and District Cultural Officer Mr. Moshiur Anwar presented their speech. They opined that:

- the first ever sensitization meeting on the RTI Act, 2009 was held in Comilla
- not many written applications from the applicants are found
- information is mostly sought over the phone
- greater publicity is required to inform people of the application procedure
- unwillingness to provide information should be rigorously discouraged
- to incorporate integrated workforce in order to improve services of the offices
- taking initiatives to encourage proactive disclosure of information

97 officers took part in the first session of the training program on 21/11/2011 and 55 officers participated in the second session. In the training program of 22/11/2011, 83 officers participated in the first session and 75 officers in the second session. In the training session of 23/11/2011, 88 officers were present to receive training. Information Commissioner Secretary (Rtd.) M. A. Taher conducted and facilitated all these training sessions.

In the training program, Deputy Director of Information Commission Mr. Md. Saifullahil Azam and Personal Secretary to the Information Commissioner Mr. Md. Delwar Hossain assisted the Commissioner in all aspects of his training conduction. At the end of the event they distributed training allowance among the participants.

**B.21) On 3/12/2011, 10/12/2011, 17/12/11 and 28/12/2011** a number of opinion sharing meeting took place with 13 secretaries of 13 ministries/divisions and 13 Designated Officers of the respective ministries and divisions in each meeting. Those meetings took place in the conference room of the Information Commission. In these meetings, Hon'ble Minister of the Ministry of Information and Culture Mr. Abul Kalam Azad, Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir, Hon'ble Minister of the Ministry of Law Judiciary and Parliament Barrister Shafiq Ahmed and Hon'ble Minister of the Ministry of Agriculture Begum Matia Chawdhury were present as the Chief Guests respectively. Chief Information Commissioner chaired three meetings and Information Commissioner Secretary (Rtd.) M. A. Taher chaired one meeting.

**B.22) On 27/12/2011,** the Information Commissioner attended a closing ceremony of a workshop titled as “Role of Community Radio in Promoting

Right to Information” in IDB complex organized by BNNRC as the Chief Guest.

**B.23) On 29/12/2011** being invited by the Bangladesh Academy for Rural Development (BARD) authority Information Commissioner Secretary (Rtd.) M. A. Taher conducted a session of training course on the RTI Act, 2009 in BARD seminar room from 9.30 am to 12 pm. As a part of their 88<sup>th</sup> special foundation training course, 40 Engineers of LGED and as a part of 89<sup>th</sup> special foundation training course, about 45 officers of BCS (Health) Cadre participated the training session. Later, the Information Commissioner replied to the written questions of the participants.

### **C. Information Commissioner Prof. Dr. Sadeka Halim**

**C.1) Sylhet: On 20/04/2011** Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir and Information Commissioner Prof. Dr. Sadekan Halim participated in a sensitization and opinion sharing meeting on the RTI Act, 2009 in the conference room of Sylhet District Administration. About 450 representatives from different organizations and institutions of Sylhet, Sunamgonj, Hobigonj and Moulvibazar participated in the meeting. Officers of different government and non-government organizations, journalists, teachers, students, prosecutors, Sub-district Chairman, Vice Chairman (especially women) and civil society members participated in the event.

The meeting was chaired by the Mr. N.M. Ziaul Alom, Divisional Commissioner. The Chief Information Commissioner was present there as the Chief Guest. Information Commissioner Prof. Dr. Sadeka Halim, Deputy Commissioner of Sylhet Mr. Abu Syed Mohammad Hasim and SP of Sylhet Mr. Shakhawat Hossain were the Special Guests. Prof. Dr. Sadeka Halim sensitized the audience about the RTI Act, 2009. She opined that the Information Commission could play a vital role to ensure accountability in government and non-governmental organizations. Every concerned authority should take into account the problems and challenges of implementing the Act. Research initiatives should be undertaken to measure the effect of RTI Act on people.

Information Commissioner Prof. Dr. Sadeka Halim conducted the training sessions on the RTI Act consisting 261 Designated Officers in the afternoon session. She discussed the background of the RTI Act 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc. Later, she answered to the questions of the Designated Officers.

**C.2) Faridpur: On 04/05/2011** Information Commissioner Prof. Dr. Sadeka Halim participated in an information fair as the Chief Guest in Sadar Sub-district of Faridpur. The Bangladesh Disaster Preparedness Center (BPDC) authority invited Prof. Dr. Sadeka Halim to attend the event. Deputy

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Commissioner of Faridpur Mr. Helaluddin Ahmed chaired the ceremony. Personal Secretary to Information Commissioner Mr. Salim Sheikh and Research Associate Ms. Dil Afroze Khanom accompanied her during the tour. Officers of different government and non-government organizations, journalists, teachers, students, prosecutors, Sub-district Chairman, Vice Chairman (especially women) and civil society members were present in the fair.

The Information Commissioner upheld the important information and guideline of BPDC to the audience. She discussed the background and applications of the RTI Act, 2009. In addition, she portrayed the correlation between ‘RTI Act, 2009’ and ‘Information and Communication Technology Act’. These two Acts are working as the catalysts in Bangladesh to meet the financial and basic human needs using digital and modern technologies. Correlation between these two laws is essential to promote the infrastructure of e-governance through regional e-development.

She added that Bangladesh government has launched e-governance in 4501 unions in recent times. She cited that the e-governance integrated with the practice and use of right to information can strengthen the democracy of our country. At the end of the event she answered to the questions of the audience.

**C.3) Rangamati:** On 19/06/2011 Information Commissioner Prof. Dr. Sadeka Halim participated in a workshop on ‘To Know Information is the Right of People’ jointly organized by PARA and Manusher Jonno Foundation in Rangamati as the Chief Guest. Mr. Nikhil Chakma, Chairman of Rangamati District Council, chaired the workshop. SP of Rangamati and District Judge Mr. Shushanto Kumar Sing were the Special Guests of the workshop. Executive Director of PARA Mr. Abbas Uddin Chawdhury and Director of Manusher Jonno Foundation Mr. Shamim Iqbal delivered opening speech. Information Commissioner discussed the background of the RTI Act, 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc. Later, she answered to the questions of the Designated Officers.

**C.4) Khagrachhari:** On 20/06/2011 Prof. Dr. Sadeka Halim participated in a workshop on ‘To Know Information is the Right of People’ jointly organized by PARA and Manusher Jonno Foundation in Khagrachhari as the Chief Guest. Information Commissioner discussed the background of the RTI Act, 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc. Later, she answered to the questions of the Designated Officers.

**C.5) Rajshahi:** On 28/06/2011 Information Commissioner Prof. Dr. Sadeka Halim participated in a sensitisation and opinion sharing meeting on ‘RTI Act 2009’ as the Chief Discussant. The meeting was organized by Inter-Cooperation in Rajshahi. The Principal of Rajshahi Government College chaired the meeting and Additional Deputy Commissioner of Rajshahi was the Special Guest of the event. Executive Member of Inter-Cooperation Ms. Shahnaj Arefin delivered

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the opening speech. Information Commissioner discussed the background of the RTI Act, 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc. Later, she answered to the questions of the Designated Officers.

In the afternoon, the Information Commissioner endowed a computer to the Department of Applied Chemistry of Rajshahi University in remembrance of the founder of the department, Professor Dr. Fazlul Halim Chawdhury.

**C.6) Jamalpur: On 17/10/2011** Information Commissioner Prof. Dr. Sadeka Halim participated in a sensitization and opinion sharing meeting on ‘RTI Act, 2009’ as the Chief Guest. The meeting was jointly organized by Information Commission and the district administration of Jamalpur. Deputy Commissioner of Jamalpur Mr. Sirajuddin Ahmed chaired the meeting and Additional Deputy Commissioner (General) of Jamalpur Mr. Md. Jahangir Alom was the Special Guest of the event. About 500 representatives from different organizations and institutions such as Officers of different government and non government organizations, journalists, teachers, students, prosecutors, Sub-district Chairman, Vice Chairman (especially women) and civil society members were present among the audience. The Information Commissioner discussed the background of the RTI Act, 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc. Later, she answered to the questions of the Designated Officers.

From 2.30 pm to 5.30 pm the Information Commissioner conducted a training session for 128 Designated Officers of the district. Later, she answered to the questions of the Designated Officers.

**C.7) Comilla:** A three day long training session on the RTI Act, 2009 took place for the Designated Officers in the Comilla DC conference room from **21/11/2011 to 23/11/2011**. The program was organized by the district administration of Comilla. Information Commissioner Prof. Dr. Sadeka Halim conducted a training session consisting 100 Designated Officers **on 23/11/2011**. She discussed the background of the RTI Act, 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc. Later, she answered to the questions of the Designated Officers.

**C.8) Manikgonj:** **On 25/12/2011** Information Commissioner Prof. Dr. Sadeka Halim participated in a seminar on “Empowerment of the Common People and Right to Information” in PROSHIKA. The seminar was organized by ELCOP (Empowerment through Law of the Common People). She presented a paper in the seminar. She emphasized on establishing the rights of people through implementing the RTI Act, 2009. Afterward, she answered to the questions of the audience.

**C.9) Bogra:** **On 12/01/2012** Information Commissioner Prof. Dr. Sadeka Halim participated in a sensitization and opinion sharing meeting on the ‘RTI Act,

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2009' as the Chief Guest. Information Commission and the district administration of Bogra organized the meeting jointly. Deputy Commissioner of Bogra Mr. Iftekharul Islam Khan chaired the meeting and Additional Deputy Commissioner (General) of Bogra Mr. Md. Ferdous Alom was the Special Guest of the event. About 200 representatives from different organizations and institutions such as Officers of different government and non government organizations, journalists, teachers, students, prosecutors, Sub-district Chairman, Vice Chairman (especially women) and civil society members were present at the occasion. The Information Commissioner discussed the background of the RTI Act, 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc.

The Information Commissioner conducted a training session from 2.30 pm to 5.30 pm for 130 Designated Officers of the district. Afterward, she answered to the questions asked by the Designated Officers.

### **D. Secretary of the Commission Mr. Nepal Chandra Sarker**

**D.1) Visit to Jhinaidaha:** On 23/05/2011 a public sensitisation meeting was held in Jhinaidaha from 9.30 am to 11.30 am followed by a training session for the Designated Officers from 11.30 am to 4.30 pm. The meeting and training session were organized by the Information Commission of Bangladesh. Nepal Chandra Sarker, the Secretary of the Commission, was the Chief Guest in the meeting and trainer of the training session. Deputy Director of the Commission Abu Shahin Md. Asaduzzaman accompanied him to conduct the training program. Rama Rani Roy, Deputy Commissioner of Jhinedah, chaired the meeting. Besides, Superintendent of Police Md. Rezaul Karim, Chief Executive Officer of District Council Md. Abdul Halim, Additional Deputy Commissioner (General) Md. Rafiqul Islam and Mayor Md. Saidul Karim Mintu were the Special Guests in the meeting. More than 200 representatives from government/non-governmental organizations and institutions participated in the meeting.

The importance of right to information in ensuring good governance and accountability through the RTI Act, 2009 was discussed in the meeting. The Chief Guest emphasized the willingness and cordiality of the government to implement the law. He also mentioned that the officials, citizens, civil society members, journalists, prosecutors and the other concerns were equally responsible to establish the RTI Act, 2009. Secretary of the Commission discussed the background of the RTI Act, 2009, activities of the authorities, role of the Commission, procedures to get information, provisions of assigning Designated Officers and their responsibilities, procedures to appeal and file complaints, etc. Later, he answered to the questions of the Designated Officers.

From 11.30 am to 4.30 pm Mr. Nepal Chandra Sarker conducted a training session for 165 Designated Officers of the district on the RTI Act, 2009. Secretary of the Commission explained various provisions, rules and regulations of the Act. Besides, he explored the problems and possible solutions in implementing the law. He involved the participants in some group work to identify some feasible ways to disclose information proactively. At the end of

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the group work, they presented their findings in a plenary session. Every officer participated in the sessions spontaneously. Afterward, he answered to the questions raised by the Designated Officers.

**D.2) Visit to Shatkhira:** On 19/06/2011 and 20/06/2011 a public sensitisation meeting and a training session for the Designated Officers took place in Shatkhira. The meeting and the training session were organized by the Information Commission of Bangladesh. Nepal Chandra Sarker, the Secretary of the Commission, was the Chief Guest in the meeting and trainer of the training session. Deputy Director (Admin) of the Commission Saifullahil Azom accompanied him to conduct the program. Deputy Commissioner of Satkhira Md. Abdus Samad chaired the meeting. Besides, Additional District Magistrate S. K. Shamim and Chairman of Sadar Sub-district Council Alhaj Md. Nazrul Islam were the Special Guests. About 200 representatives from different organizations and institutions such as officers of different government and non-governmental organizations, journalists, teachers, students, prosecutors, Sub-district Chairman, Vice Chairman (especially women) and civil society members participated in the meeting. Mr. Nepal Chandra Sarker conducted three batches of training session on the RTI Act, 2009 for 204 Designated Officers of the district from 2.00 pm to 4.30 pm on 19/06/2011, from 10.00 am to 1.00 pm and from 2.00 pm to 4.30 pm on 20/06/2011.

**D.3) Visit to Khulna:** On 21/06/2011 a public sensitization meeting from 9.30 am to 12.30 pm followed by a training session for the Designated Officers from 2.00 pm to 4.00 pm took place in Khulna. The meeting and training session were organized by the Information Commission of Bangladesh. Mr. Nepal Chandra Sarker, the Secretary of the Commission, was the Chief Guest in the meeting and trainer of the training session. Deputy Director (Admin) of the Commission Saifullahil Azom accompanied him to conduct the program. Additional Deputy Commissioner (General) of Khulna Sattendra Kumar Sarker chaired the meeting. About 300 representatives from different organizations and institutions such as officers of different government and non-governmental organizations, journalists, teachers, students, prosecutors, Sub-district Chairman, Vice Chairman (especially women) and civil society members participated in the meeting. Mr. Nepal Chandra Sarker conducted the training session on the RTI Act, 2009 for 102 Designated Officers of the district.

**D.4) Visit to Panchagarh:** On 08/02/2011 the Secretary of the Commission Mr. Nepal Chandra Sarker visited Panchagarh to accompany the Chief Information Commissioner and participated in a public sensitisation meeting and workshop on the RTI Act, 2009 organized by the Deputy Commissioner of Panchagarh. The meeting followed by the workshop was held in the District Shilpkola (Art/ Cultural) Academy. The meeting started at 4 pm and ended in the evening. Mr. Bonomali Bhawmic, Deputy Commissioner of Panchagarh participated in the meeting as the chairperson. The Superintendent of Police and the Mayor of Panchagarh were the special guests of the meeting. About 300 representatives from different tires of professions e.g. officers from different government offices, sub-district executive officers, sub-district chairmen, assistant commissioners (Land), freedom fighters, NGO and media representatives, teachers, students, prosecutors, sub-district vice-chairmen, civil

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society representatives and local elites participated in the meeting. Deputy Commissioner, Superintendent of Police, Mayor and Freedom Fighters shared their speeches on right to information. Later, Mr. Nepal Chandra Sarker discussed and shaded light on the RTI Act.

**D.5) Visit to Rangpur:** On 09/02/2011 about 434 trainees from different offices of Rangpur participated in a training workshop held in two phases. The Secretary of the Commission Mr. Nepal Chandra Sarker portrayed discussed various sections of the Act in the training sessions. His intriguing description encouraged the participants to raise questions. At the end of the training session he answered to all of the questions and qualms of the audience.

**D.6) Visit and Training organized by other Government and Non Governmental Organizations:** Excluding the above mentioned training sessions and meetings, the Secretary of the Commission Mr. Nepal Chandra Sarker attended a number of programs both in government and non-governmental sector as Chief Guest or trainer. Among them BPATC, BARD, MRDI, Manusher Jonno Foundation, BEI, PROGATI, TIB, Democracy Watch, etc are especially mentionable.

### **3.11 Activities of the Officers of the Information Commission (Internationally)**

#### **A. Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir**

Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir visited a number of countries across the world in 2011 being invited by various organizations and institutions of Nepal (March 27 - 29, 2011), China (April 05 - 10, 2011), Europe (May 22 - 27, 2011), USA (July 18 - 23, 2011 and December 12 – 13, 2011), UK (July 24 - 28, 2011) and Canada (October 03 – 06, 2011). While visiting these countries, he participated in the International Conference on right to information, learned the current worldwide condition of right to information, gained experience regarding the implementation of the RTI Act and portrayed the scenario of the Information Commission of Bangladesh in the international sphere. During his visit to China, Secretary of the Information Ministry Mr. Hedayetullah Al Mamun and while visiting USA, Secretary of the Information Commission Mr. Nepal Chandra Sarker and Deputy Director of the Commission Dr. Abu Shahin Md. Asaduzzaman accompanied him as his tour mates. The Chief Information Commissioner attended various meetings with the high officials, ministers and officers of Foreign Ministries, media personnel and influential individuals of the respective countries concerned with the implementation process of the RTI, therefore exchanged their opinions and views.

##### **A.1) Nepal (March 27 - 29, 2011)**

The Chief Information Commissioner visited Nepal to participate in the first National Convention of Nepal on right to information from March 27 to March 29, 2011. The convention was organized by the World Bank. It was held in

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Kathmandu, the capital of Nepal. 16 Members of Parliament, activists of right to information, media personnel, academicians and civil society members from the South Asian countries attended the convention. The concern of the convention was to discuss the status of the RTI Act and Information Commissions of the South Asian countries including Bangladesh. At the end of the convention, a decision to form a 'Right to Information Advisory Group of South Asia' was taken.

### **A.2) China (April 05 - 10, 2011)**

Ambassador (Rtd.) Muhammad Zamir, the Chief Information Commissioner, visited China from April 05 to April 10, 2011. The Chinese State Council Information Office invited him to make the visit. During his trip, the Secretary of the Information Ministry Mr. Hedayetullah Al Mamun accompanied him as his tour mate. The Chief Information Commissioner visited Beijing, Shanghai and Kunming; and attended a meeting with the Hon'ble Minister of Chinese State Council Information Office, Hon'ble Vice Minister, Assistant Foreign Minister, Vice Director General of Chinese State Council Information Office, Officers of the Information Office, Officers of Shanghai Municipality, Minister of Shanghai Provincial News and Publication Bureau, Leaders of the Provincial Communist Party of Yunnan, Director General of Provincial News and Publication Bureau of Yunnan and Chief Editor of the Yunnan Daily Group. He also visited some important news agencies, television offices, municipality offices and archives.

### **A.3) Europe (May 22 - 27, 2011)**

The Chief Information Commissioner met representatives of different government offices and international organizations of Sweden, Norway and Belgium during his visit to Europe from May 22 to May 27 in 2011. He also visited the office of SIPU, Swedish Ministry of Law, Office of the Parliamentary Ombudsperson of Sweden and met the officers from the Foreign Ministry of Sweden and Norway, Leaders of the Editor Association of Norway, President, Chief Executive Officer and Executive Vice President of Telenor Group, representatives of European Union and World Bank.

### **A.4) USA (July 18 - 23, 2011)**

Being invited by the Promoting Governance, Transparency and Integrity (PROGATI) project of USAID, the Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir visited USA from July 18 to 23 in 2011. The Secretary of the Information Commission Mr. Nepal Chandra Sarker and Deputy Director of the Commission Dr. Abu Shahin Md. Asaduzzaman accompanied him as his tour mates. They shared their opinions and experiences with the 30 representatives from federal, state and municipality administration, media, academicians and civil society. Some participating organizations in the discussion forum were - Department of Justice of USA, Office of the National Information Services, Office of the Science and Information Technology of White House, Office of USAID, Advisory Council of Right to Information Act of Virginia, Office of the Organization of American States, American Society

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for Access Professional, American Bar Association, Reporters Committee on Freedom of Press, Office of the Global Integrity and Philip Merrill College of Journalism of Maryland University.

### **A.5) UK (July 24 - 28, 2011)**

After the visit to USA, the Chief Information Commissioner made a trip to London from July 24 to 28, 2011. During his visit to the United Kingdom, he met a number of officials from DFID, British Foreign and Commonwealth Office and Ministry of Judiciary and British Cabinet Office. The focus of the meeting was to discuss issues like accelerating the RTI implementation process in Bangladesh, strengthening the Information Commission and increasing bilateral cooperation.

### **A.6) Canada (October 03 – 06, 2011)**

Chief Information Commissioner Ambassador (Rtd.) Muhammad Zamir participated in a conference from October 3 to 6, 2011 in Canada organized by the Information Commission of Ottawa in alliance with the Canadian Bar Association. At the end of the conference, the Chief Information Commissioner joined in a discussion with the Speaker of the Canadian Parliament Andrew Scheer, Deputy Minister for Foreign Affairs Mr. Peter McGovern, Chief Trade Commissioner and Legal Advisor of the Ministry of Foreign Affairs of Canada Mr. David Sproule and Executive Director of Canadian International Development Agency (CIDA) Dr. Syed Sajjadur Rahman.

In the meetings held between 3<sup>rd</sup> to 6<sup>th</sup> October, the participants discussed the necessity to establish transparency in government system, as it was the pre-condition of strengthening the democratic institutions and affirming rules of law. In this context it was recommended that special efforts to provide information should be undertaken in regard to the actions of parliaments, courts, and the judicial process. Having considered transparency as an important factor of reducing corruption, it was emphasized that government should be more transparent and the right to information process should be accelerated to strengthen the citizen's confidence in national and international institutions, promote open government and enable people to understand the political decision making process in order to encourage their effective participation.

Further discussion took place on depicting the need to create an effective appeal mechanism as well as a suitable enforcement process. It was also reiterated that every state and international organization should be proactive in providing Information and not to try hiding behind an expanding list of exemptions and limitations. The Chief Information Commissioner was specially requested by the Conference authority to address in regard to "Limiting the Limitations: Designing exemptions that balance both effective and accountable governance".

Information Commissioners from Germany, Norway, Hungary, Britain, Brazil, Chile, Mexico, Australia, New Zealand, USA, Bangladesh and various provinces of Canada as well as the European Ombudsman from Brussels, representatives from the Canadian Attorney General's Office, Canadian

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Department of Justice, the Canadian Office for Citizenship and Immigration, and the Privacy Commission, lawyers, academicians and civil society representatives from Canada North and South America and Europe participated in the conference. The United Nations extended its support to the conference through the office of UNESCO in Canada.

The Conference asserted the following points:

- a) Adopting measures to challenge the factors that hinder the freedom of observation and monitoring process. This included reviewing the foreign affairs and national security related records before classifying them i.e. records containing policy recommendations to the ministers, legislators and the judiciary and records involving solicitor-client privilege;
- b) stimulating competition among government offices in providing information;
- c) forming civil society, media and watchdog groups on the basis of mutual partnership;
- d) utilizing public opinion as an instrument of accelerating the implementation process of the RTI Act;
- e) upholding the necessity to balance the culture of disclosing information with investigative procedure;
- f) encouraging the public bodies and the private sectors to cooperate in building public private partnership and pursuing corporate social responsibilities. In this regard, the Chief Information Commissioner highlighted the praiseworthy role of Robi and Grameenphone in assisting the Information Commission of Bangladesh to sensitize the RTI Act;
- g) determining political strategies to obtain maximum assistance from the government; and
- h) adopting measures to explore potential resources, identify the necessities and decide the priorities by dividing them into short, medium and long-term goals in the existing context of the right to information in every country.

In the meetings of 6<sup>th</sup> and 7<sup>th</sup> October, the Chief Information Commissioner met the Speaker of the Canadian Parliament and some Senior Officials of the Canadian Ministry of Foreign Affairs. Mr. Yakub Ali, the High Commissioner of Bangladesh at Canada accompanied him during the meeting sessions.

The Chief Information Commissioner elaborated the adopted measures by the government of Bangladesh to digitalize the information accessing system to the participants. Also, he requested to the Speaker of the Canadian Parliament to accept internees from Bangladesh who would come to Canada and learn the useful measures to make the parliamentary process more effective in connecting to the general public. He requested the Canadian Ministry of Foreign Affairs to facilitate the Bangladeshi students in pursuing higher education in different Canadian educational institutions. In addition, he expressed gratitude to the Canadian government through the Chief Trade Commissioner of Canada for having provided duty-free access to Bangladeshi products in Canada and

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requested the Canadian authority to encourage the Canadian entrepreneurs to divert greater foreign direct investments in Bangladesh.

### **A.7) USA (December 12 – 13, 2011)**

The Chief Information Commissioner visited USA in December, 2011 from 12<sup>th</sup> to 13<sup>th</sup> to participate in a follow up meeting on right to information organized by Crater Center, Atlanta. Representatives from Scottish Information Commission, African Human Rights Commission, Global Integrity of Washington, World Resource Institute, The Access Initiatives, World Bank, The International Budget Partnership of Mexico, International Development Research Center of Ottawa and Carter Center participated in the meeting. The meeting gave consent to the following issues for implementing right to information:

- transmitting political willingness to reality;
- resolving the complicacies around managing files, role of the appellate authority and management supervision in Bangladesh, Mexico and South Africa;
- emphasizing proactive disclosure of information and implementing it
- encouraging the government agencies to implement the right to information strategies and to provide sought information as per the applicants.

## **B. Information Commissioner Prof. Dr. Sadeka Halim**

### **B.1) Philippine (February 21 – 25, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim visited Philippine from February 21<sup>st</sup> to February 25<sup>th</sup> in 2011 to participate in ‘The Asia NGO Coalition for Agrarian Reform and Rural Development’ in Manila being invited by the International Land Coalition Asia Regional Node (ILC, Asia). She shared opinion with the senators, congressman, bureaucrat and civil society members on Indigenous Peoples Right Act (IPRA) and learnt about social, political and economic conditions of the ethnic people of Philippine. It is remarkable that Prof. Dr. Sadeka Halim has been working on ethnic people’s right for a decade and she has composed many articles on this very subject. She is involved with the Ethnic Cocos and encouraging the ethnic people to practice the RTI Act.

### **B.2) India (March 23 – 26, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim visited India from March 23<sup>rd</sup> to March 26<sup>th</sup> in 2011 to participate in a program namely “Regional Cooperation for a South Asian Peace Charter between Women Peacemakers in the 8 SAARC Countries” held in Delhi. Being invited by the Delhi Policy Group she attended the event and exchanged opinion with the representatives of SARCC countries. The objective of the program was ‘Developing Policy and Productive Framework on Peace Building and Peace Making in the Wider

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South Asian Region’. Prof. Dr. Sadeka Halim was one of the members of the drafting committee, therefore suggested various recommendations on South Asian Peace Charter.

### **B.3) India (May 18 – 20, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim visited Assam, India from 18<sup>th</sup> to 20<sup>th</sup> May in 2011 to participate in a program namely “Commemoration of the Language Martyrs” organized by the Committee for the Language Martyrs Remembrance. On 19<sup>th</sup> May, 1961 the Assam Police fired upon the young people who demanded Bangla as their state language. 11 of them were killed in that shootout in Shilchor Railway Station. It is noteworthy that Komola Bhattacharya (one of the 11 martyrs of Assam) is the first female Language Martyr of the world. Dr. Sadeka Halim remembered the language movement of Bangladesh in the ceremony.

### **B.4) Nepal (July 7 – 8, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim visited Nepal from July 7 to July 8 in 2011 to participate in a meeting namely “Regional Consultative Committee Meeting on Enhancing Women’s Economic Agency and Entitlements to Land and Productive Assets” organized by UN Women, South Asian Office, New Delhi. Dr. Sadeka Halim attended the same expert group meeting in 2010 on “Gender and Productive Resources, Women’s Entitlements to Land, Livestock and Energy” and exchanged her constructive opinion. The focus of the next follow up meeting was “The Committee would work in the future course of action by indentifying the areas that require further research for addressing policy formulation and effective implementation of the policies for women’s economic empowerment and gender equality in economic governance”. Besides, Dr. Halim’s composition namely “Women’s ownership Rights and Access to Land in Bangladesh” has been published by UNIFEM.

### **B.5) Germany (July 16 – 23, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim participated in a visiting program in Germany from July 16 to July 23 in 2011. The program was organized by Fredric Nouman Foundation of Delhi, India. Country Director of Article 19 Ms. Tahmina Rahman, District Coordinator from Pakistan Mr. Abrar Ahmed Mirza and Advocate Mr. Malik Salim Iqbal, Srilankan Attorney at Law Mr. Bogodaz Chandana Pereira, Indian Project Director Ms. Sohini Paul and Ms. Brinda Choraria and Project Director of Fredric Nouman Ms. Katrin Banak participated in the program as well. Fredric Nouman works in 65 countries of the world and the group was interested to work in Bangladesh also. Their focus was to uphold the freedom of progress, secularism and freedom of expression above all.

The Information Commissioner exchanged opinion with the local representatives concerned with the practice of Right to Information in Postdam, Dresden and Berlin. She also exchanged experience with Charles du Vinage – (Head of Asia Department International Politics), Anja-Maria Gardain (Head of

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Central Department, Spokesperson Internal and European Data Protection Freedom of Information), Wulf Pabst (Facilitator Political Consultant), Marion Eckertz-Hofer (President of the Federal Administrative Court) and Carsten Knoll (Head of Compliance Risk Analysis).

In Germany, the activities of the Judiciary are done through FOI (Freedom of Information), Civil Service Act, Economic-Administrative Act, Use of Water Act, Use of Airport Act, etc. As a Federal State, it has showed its excellence in the field of transparency and accountability. 12 of the 16 states of Germany follow the FOI. The provisions of the FOI vary from one state to another, as they depend on the states' socio-economic condition.

However, less than 10% journalists use the FOI. They usually use the Journalism Act for seeking information. It is a matter of grief that not more than 50 complaints have been submitted to Berlin Information Commission within 12 years. Least practice of the FOI is being caused by developed and strong infrastructure of the institutions regarding transparency and accountability. As people get Information directly from these institutions without any interruption, so the awareness of FOI among people is very poor.

However, German Information Commission measured the RTI Act, 2009 of Bangladesh as a strong and effective Act.

### **B.6) Nepal (August 15, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim visited Nepal on August 15<sup>th</sup> in 2011 being invited by Dr. Radha Kumar, Director, Peace and Conflict Program of Delhi Policy Group. During her visit to Nepal Prof. Dr. Sadeka Halim and other delegates from different countries met with SAARC Secretary General HE Fathimath Dhiyana Sayeed. This visiting program was a sequence of the last “Regional Cooperation for a South Asian Peace Charter between Women Peacemakers in the 8 SAARC Countries” held in Delhi. Dr. Sadeka Halim is a member of the Draft Committee of ‘South Asian Peace Charter’. The South Asian Peace Charter was handed over to Hon’ble Prime Minister of Bangladesh Sheikh Hasina through Information Commissioner Prof. Dr. Sadeka Halim.

### **B.7) Pakistan (September 27 – 28, 2011)**

The Information Commissioner participated in a Conference in Pakistan on “Right to Information: Legal Regimes, Institutions and Citizens” from September 27 to September 28 in 2011. The program was organized by the Centre for Peace and Development Initiatives (CPDI). The focus of the conference was “Struggle between forces protection, promoting and justifying culture of secrecy in the functioning of governments and those wings for openness and transparency.” The discussion was focused on right to information in global perspectives as well.

The contents of the seminar included RTI: Global Perspectives; Transparency and nonprofit sector; Transparency and International Financial Institutions; RTI

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as a tool for investigative journalism; RTI as tool for social accountability and institutional reforms some case studies; RTI and Communication and Information Technology: The Emerging Trends; RTI and the Vulnerable Groups; and Building Coalition on RTI: talking forward Right to Information movement in Pakistan. Prof. Dr. Sadeka Halim chaired the session on “Transparency and non-profit Sector” participated as a resource person in the session on “RTI Communication and Information Technology the Emerging Trends”.

The Islamabad Declaration was announced from the conference to ensure RTI Act in Pakistan as soon as possible.

### **B.8) Cambodia (October 25 – 28, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim participated in “Advocacy Training Workshop for LDC’s in Achieving MDGS as part of the Implementation of the Istanbul Programme of Action 25-28 October 2011, Siam Reap, Cambodia”. The training workshop was organized by the United Nations and ESCAP (Economic and Social Commission for Asia and the Pacific). Dr. Sadeka Halim presented her article on the “Comparative Lesson in Empowering Women Lessons learnt from China, India and some Asian Countries”.

### **B.9) Thailand (December 6-8, 2011)**

Information Commissioner Prof. Dr. Sadeka Halim participated in an expert group meeting on “Macroeconomic outlook and Challenges in the ESCAP Region”, and committee on “Macroeconomic Policy, Poverty Reduction and Inclusive Development” from December 6-8, 2011 in Bangkok, Thailand.

## **C. Secretary to the Information Commission Mr. Nepal Chandra Sarker**

### **C.1) USA (July 18 – 22, 2011)**

Mr. Nepal Chandra Sarker, the Secretary to the Information Commission, visited USA as a companion of the Chief Information Commissioner. The visit was organized by PROGATI (Promoting Governance, Transparency and Integrity) project of USAID. During the visit, the team met with the representatives from different government and social institutions, universities, journalists, local government and experts on right to information. Secretary of the Commission exhibited the progress and status of right to information in Bangladesh. In the discussion session on comparative study of right to information in USA and Bangladesh, he played a vital role as a participant.

### **C.2) India (January 29 – February 05, 2012)**

Mr. Nepal Chandra Sarker, the Secretary to the Commission, visited India to participate an International Conference on RTI from January 29 to February 05 in 2012. The Commonwealth Human Rights Commission organized the

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conference. Joint Secretary (Admin & Press) of Information Ministry Mr. Md. Farhad Hossain, Deputy Secretary Mr. Md. Abul Hossain, Senior Assistant Secretary Mr. Mohammad Enam Chawdhury and Public Relations Officer Mr. Md. Mahmudul Kabir accompanied him during this visit.

Representatives of Bangladesh, India, Pakistan, Srilanka, Maldives and Malaysia participated in the conference. On the second day of the conference, Secretary to the Commission Mr. Nepal Chandra Sarker presented an article on right to information. He discussed the status of implementing the RTI Act in Bangladesh and the activities executed by the Commission.

### **3.12 Right to Information and Social Responsibilities:**

#### **A. Private Mobile Operating Company ‘Grameen Phone’**

Information Commission has signed a Memorandum of Understanding (MOU) with the private mobile operating company namely ‘Grameen Phone’ to sensitize the general mass about the right to information. Consequently, Grameen Phone has been working for years with the Commission. The chart of their circulated SMSes imparting the RTI Message is being given below:

Date of the SMS	Number of SMS Circulation
01 February 2011	14,000,000
02 February 2011	15,256,338
22 February 2011	6,000,312
23 February 2011	5,667,723
24 February 2011	5, 675,473
03 April 2011	7,828,841
03 April 2011	12,272,528
29 April 2011	14, 427,497
30 April 2011	14, 427,497
12 May 2011	13, 994,672
13 May 2011	14, 383,976
15 June 2011	14, 427,497
16 July 2011	14, 828,841
09 September 2011	14, 828,841
24 October 2011	21,759,928
24 November 2011	10,000,000
25 November 2011	10,473,057
26 November 2011	14,828,841
17 December 2011	14,994,860
19 December 2011	10,000,000
22 December 2011	14,521,285
Total	264,608,007

### Displaying Scroll in Television

Name of Channel	Name of the Program	Time	Date of Circulation
Channel I	Tritio Matra	60 minutes	February 1, 2011
Channel I	Ajker Songbad Potra	30 minutes	February 1, 2011
ATN	Lead News	30 minutes	February 1, 2011
Boishakhi	Zero Hour	30 minutes	July 1, 2011

### B. Private Mobile Operating Company ‘Robi’

Information Commission signed a Memorandum of Understanding (MOU) with the private mobile operating company ‘Robi’ for the expansion of the right to information. Robi has significantly facilitated the Information Commission in promoting RTI Act to people.

Activities	Number/ Time	Description	Circulation Number
TV Scroll	120 minutes/ week	NTV, Islamic TV, ATN News	6936 minutes
SMS	5 times	1 <sup>st</sup> : December 20 – 30, 2010	56,00,000
		2 <sup>nd</sup> : February 27 – March 03, 2011	Not known
		3 <sup>rd</sup> : July 1 – 5, 2011	Not known
		4 <sup>th</sup> : October 14 – 20, 2011	42,00,000
		5 <sup>th</sup> : December 15 – 21, 2011	40,00,000
Advertisement in National Dailies	4 times	Daily Manob Jomin, May 4, 2011	Half page
		The Daily Star, April 11, 2011	Full page colour
		The Daily Star, March 21, 2011	Half page
		The Daily Bangladesh Today, March 17, 2011	One fourth
In Community Radio	4 times/ week	ABC Radio	21 times

#### 1<sup>st</sup> SMS

<Tothyo jana o paoya apnar moulik odikar. Tothyo odhikar ain anusharey sarkari o besarkari songstha tothyo prodane badho. Aro jante dekhun [www.infocom.gov.bd](http://www.infocom.gov.bd) >

#### 2<sup>nd</sup> SMS

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<Tothyo jana o paoya apnar moulik odikar. Tothyo odhikar ain anusharey sarkari o besarkari songstha tothyo prodane badho. Aro jante dekhun [www.infocom.gov.bd](http://www.infocom.gov.bd)>

### **3<sup>rd</sup> & 4<sup>th</sup> SMS**

<sorkari/besorkari kortipakkher tothyo jantey daitto prapto tothyo prodankari kormokortar nikot abedon korun. aro jantey [www.infocom.gov.bd](http://www.infocom.gov.bd)>

### **C. Janata Bank**

The Janata Bank Authority presented 3 computers to the Information Commission as a part of their social responsibility.

## **Chapter 4**

### **Implementation Status of the Right to Information Act**

According to the Right to Information Act (RTI) 2009, the Information Commission is obliged to publish an annual report depicting the activities of the previous year by 31<sup>st</sup> March of every year. Following this provision, letters have been issued informing the demand of the Section 30 (2) of the RTI Act, 2009 and sent to the Deputy Commissioners and Ministries all over the country. In response, the information that the districts and ministries provided to the Commission, is being presented below as a report:

#### **4.1 Number and genre of the submitted applications to various authorities:**

According to the rules of the RTI Act, a precise form of application should be used in order to obtain information. The sought information should be provided to the applicant within the specific time unless that information falls under the provision of Section 7 (information that is not mandatory to provide). Starting from 01.01.2011 to 31.12.2011, the number of sought information using the RTI format is 7808. Among them, the government offices and the NGOs have received 7671 and 137 applications respectively. In other word, the government institutions have received 98.25% and the private organizations have received 1.75%.

The genres of information that have been requested using the RTI format to the various authorities are:

##### **a. Land:**

List of khas land (waste land), information about mutation, khatian, vested property act, list of local markets, original copies of deeds, land tax-DCR, information on leasing, etc.

##### **b. Hospital/ Health Services:**

The rules of employment in the government hospitals in Bangladesh, the number of doctors appointed in 2009 to 2010 and the procedures that have been followed in appointing them, list of the free of cost or low cost health services available in the government medicals and the price-list of the charged services, EPI activities, birth control, information of the officials working in the family planning division, emergency departments, arsenic patients, ambulance, disease detection machines, pregnant mother and procedure of taking care during pregnancy, sought justification of charging taka 500 from the students of the Diploma-in-Medical technology course for registering and verifying certificates, etc.

##### **c. Government employments, administration and judicial cases:**

Employee appointment, removal, promotion, training, pension, transfer, time scale, list of permanent and temporary employees, training, income, etc; international crimes, procedure of providing arms license, information regarding FIR; co-operative society registration, stamp vendor, voter id card and cinema hall related information.

**d. Local government:**

The citizen services that are available in different regions, districts, sub-districts and union parishad offices, the amount of the availed budget, implemented allocations and distributed government-aids, number of people enjoying the social security initiatives, number of allocated wells, top to bottom of the development activities, appointing village police, honorarium of the public representatives, information centers and assigning initiators in the unions, permanent committees of union parishad, birth certification, the activities of the City Corporation and wards, conducted services, the accounts of revenue and expenditure, endeavor adaptation, implementation, tender, permitting designs, measures taken against those who violate laws, etc.

**e. Education:**

The number of educational institutions, primary and school final exams, information on primary school development initiatives, teachers training activities, free distribution of books, list of students at secondary level and secondary level scholarships, names and mobile numbers of the principals of secondary and dakhil institutions, SSC examinations results, initiating mid day meal system in educational institutions, etc.

**f. Agriculture, fisheries and livestock:**

Allocated budget for the agricultural department, training, fertilizers, insecticides, seeds and dealer, agricultural equipments, ICM, IPM club related information, improvement of the fisheries division, killing of fishes, problem of small fishes, training related to fisheries, bank loans for fish cultivation; animal disease and preventive injections, treatment of duck, chicken and farm animals, etc.

**g. Relief:**

TR, Kabikha (Food for Work), Kabita (Money for Work), occupation for the poor, relief allocation, allowances for the aged people, allowances for the widow, VGD, DGF and other social security activities and the list of those who enjoy these facilities.

**h. Social services and social security:**

Allowances for the aged, widowed, disabled, freedom fighter, education for the disabled, development of the anthropological people, loans for social services and information related to registered co-operative societies.

**i. Others:**

National parliament election, e-voting, carrying out activities in the national parliament, implementing the suggestions of the Permanent Committee, question answers related information, loans for struggling businesses, repayment of bank loans, interest removal, implementation of the orders issued by the Court, imported ships in the ship breaking industries, fulfilling the obligations imposed by the environmental department, providing NOC, etc.

**4.2 Rejected Applications:**

Among the 7808 applications submitted to various authorities, 7616 (97.54%) appeals have been responded with information, 104 (1.33%) applications are yet to be resolved and 88 (1.13%) applications have been discarded. The rejected applications have been discarded on the basis of Section 7 of the RTI Act, 2009. Despite having many limitations, 97.54% of the requests have been resolved and only 1.33% is under consideration, which portrays a positive scenario.

**4.3 The number of appeals and disposition:**

No concrete information is available regarding the number of filed appeals against the discarded 88 requests in the reports. The minimal number of rejected applications shows that apart of few incidents, the Designated Officers have been able to take the right decision. However, only 104 complaints have been filed in the Commission over the last two years, which means the Appellate Authorities have agreed to the decision of the Designated Officers in most cases.

**4.4 Steps taken against different officials appointed by different authorities:**

The reports obtained from different authorities do not show any record of taking action against any officer, which means the Designated Officers were dedicated enough to carry out their duties properly.

**4.5 Revenue generated from providing information following the RTI Act:**

The obtained reports reveal that taka 20,15,732 has been received by providing information in 2011. Since the initiation of the RTI Act, the Public Service Commission have earned the highest amount of revenue amongst all the institutions of the country, which is taka 19,89,000. The reports also inform that most of the authorities did not charge the applicants to provide information.

**4.6 Steps taken by different authorities to implement the RTI Act, 2009:**

Various private organizations have helped the Information Commission in different ways to implement the RTI Act, 2009. The Cabinet Division is helping the Commission in multiple ways. In order to facilitate the Commission in implementing the RTI Act, 2009, many authorities have initiated various activities through joint venture. The following initiatives are especially mentionable:

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The Cabinet Division has assisted in imparting the decisions and guidelines of the Commission to every ministry/division. The Information Commission has published a list of the Designated Officers for providing information. Being the administrative body of the Information Commission, the Ministry of Information has helped the Commission in all its endeavors. The Ministry of Public Administration has assisted the Information Commission in employing its workforce and the Ministry of Law has aided in its legislative activities. Other ministries have played their role in accelerating the activities of the Information Commission. In this process, the ministries have recommended assigning Designated Officers and Appellate Authority to ensure proper information service to people. Also, the ministries have appointed Designated Officers in the relevant departments. Besides, the ministries/departments have widely contributed in preparing and distributing the leaflets of the Information Commission. Bangladesh Radio, Bangladesh Television and Bangladesh Institute of Media are playing important role as well in spreading the RTI Act among the general public.

At field level, the district administrations have vastly supported the Information Commission. The divisional and district administrations have constantly helped the Commission in carrying out various public awareness meetings. The role that the district administrations have played in assigning Designated Officers is praiseworthy. Also, they have assisted in spreading the directions of the Commission to the general public. The district administration has played a major role in involving civil society to implement the RTI Act, 2009. The District Commissioners have helped the Information Commission by publicizing the rules of applying for information among the general mass. In many cases the district administrations have helped the Commission by imparting the declaration of summon to the proper authority.

Different non-government organizations have greatly assisted the Commission to implement the RTI Act. Many private organizations have issued their own information disclosing regulations. A number of organizations are continually working to increase awareness among people regarding the RTI Act. Various private organizations, by executing some innovative activities i.e. arranging information fairs, training on the right to information and staging dramas, are assisting the Information Commission.

### **4.7 Filed Complaints at Commission and taken Measures:**

One of the vital activities of the Information Commission is to dispose of the complaints of the applicants regarding the RTI Act. As a result of the mass public awareness programs carried out by the Commission, significant number of complaints has been filed at the Commission. Following that, the Commission has disposed off 41(forty-one) complaints and 3 (three) complaints are currently under consideration. In most cases, the respondents have provided information before the completion of the hearing process and have accepted their faults in providing information. However, in many cases problems occurred due to not submitting the applications to the proper authorities. So far, the Information Commission has fined a Health and Family Planning Officer from Narayanganj taka 1000 for not providing the sought information.

#### **4.8 Analysis of the complaints submitted at the Information Commission:**

Starting from 2009 to December 2011, a total number of 104 complaints were filed at the Information Commission. Several meetings took place at Commission on 30.08.2010, 30.12.2010, 21.03.2011, 04.07.2011, 19.09.2011, 13.10.2011, and 21.12.2011 in order to assess the complaints. In those meetings, 44 complaints were taken into account as they were filed appropriately. Among them, 41 complaints were disposed off on different dates through hearing process. 60 complaints were found faulty and hence were ordered to stay. Below, the analysis of the received complaints by the Commission is being mentioned:

##### **a. Profession of the Complainant:**

Majority of the complainants of the 104 filed complaints were journalists, advocates, environmentalists, NGO workers, students, retired officers, businesspersons, housewives, employees and people from various professions.

##### **b. Subject of the complaints and the type of information requested:**

- list of *khas* land, people enjoying the ownership of the *khas* land, land mutation, tax, DCR and information regarding purchase and sell of land;
- implementation status of minimum wage declared by the government in shrimp business;
- rules of withdrawing money from provident fund and the list of people who declined to withdraw money from provident fund and copies of the decision papers;
- The health service in government hospitals of Bangladesh and the procedure of appointing doctors in those hospitals;
- justification of charging extra fee in the educational institutions and decisions related to it;
- citizen services provided at the sub-district parishad, allocations to them and the rules of disbursing money;
- account of revenue and expenditure of the L.R fund;
- copy of the permission to change the designs of the buildings in Dhaka City Corporation and taken measures against those who illicitly change designs;
- development activities, allocations and distribution of fund in Khagrachari and CHT regions.
- initiation of e-voting system in elections, the role of the Parliamentary Standing Committee, prescribed recommendations and achieved development in this regard;
- appointing, dismissing and promoting the officials of the Bangladesh National Parliament;
- information regarding the cleaners/sweepers working in the sugar mills and the regulations of the staff quarters;
- development of the wards, appointment of contractors, responsibilities and plans for field visit of the health workers;
- appointing contractors in building bridges;

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- information regarding the allocation of government funds in the sub-district fisheries department;
  - clearance and approval certificates provided by the Court regarding the ships of the ship breaking yards;
  - The forgiveness of loans in 1585 struggling industries in the country declared in 2011-12;
  - price list of development works, ideas and suggestions;
  - list of beneficiaries of the social security programs such as project one house one firm, VGD/VGF, etc.
  - number of food storage construction and relevant financial activities which were initiated in the tenure of the present government;
  - number of cases in regard to violence against women;
  - information regarding sports training camps, etc.
- c. Nature of accused office and officers  
d. Appeal and notice of inability before complaint  
e. Reason behind not taken into cognizance  
f. Hearing and dismissal of complaint  
g. Information Commission activity on the application which were not taken into cognizance  
h. Results from analysis

### **4.9 Five Ministries to have received the highest number of applications:**

Serial Number	Name of the Ministry /Department	Number of received appeals to provide information	Number of decisions taken to reject the information appeals and legal explanation of those decisions	Number of filed appeals and their end result	The fee collected by providing information (in Taka)
1	2	3	4	5	6
01	Ministry of Public Administration	1831	2	0	19, 89, 000/-
02	Ministry of Railway	598	0	0	0/-
03	Ministry of Finance (Finance Department)	357	29	28	174/-
04	Ministry of Water	60	0	0	2294/-

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	Resource				
05	Ministry of Information	18	5	0	100/-

**4.10 Five Districts to have received the highest number of applications:**

Serial Number	Name of the District	Number of received appeals to provide information	Number of decisions taken to reject the information appeals and legal explanation of those decisions	Number of filed appeals and their end result	The fee collected by providing information (in Taka)
01	Comilla	1921	0	0	2333/-
02	Bramhanbaria	1062	0	0	0
03	Rangpur	523	0	0	11, 465/-
04	Naogaon	302	0	0	1262/-
05	Rangamati	253	0	0	0

**4.11 Five Non-governmental Organizations to have received the highest number of applications:**

Serial Number	a	b	c	d	e
	Name of the Non-governmental Organization	Number of received appeals to provide information	Number of decisions taken to reject the information appeals and legal explanation of those decisions	Number of filed appeals and their end result	The fee collected by providing information (in Taka)
1	2	3	4	5	6
01	Society of Renaissance Bangladesh (SRB), Feni	42	0	0	
02	Transparency	25	0	0	

	International (TIB), hopuse-141, road: 12, block-e, Banani, Dhaka				
03	BRAC, BRAC Center, 75 Mohakhali, Dhaka	18	0	0	0
04	Wave Foundation, 3/11 Block D, Lalmatia, Dhaka	7	0	0	0
05	Sacheton Sahajja Snagstha (SSS), Srингal Road, Maulavibazar	6	0	0	0

#### **4.12 Implementation of the RTI Act in assistance with the NGOs (Case studies and other reports):**

Different non-governmental organizations are assisting the Commission to establish the RTI Act. Among them, Manusher Jonno Foundation, MRDI, REIB, BRAC, Nagorik Uddog and Nijera Kori are mentionable.

##### **4.12.1 Manusher Jonno Foundation:**

Manusher Jonno Foundation is working individually as well as in co-ordination with the Information Commission. The above organization is leading the NGO's in the movement of establishing the RTI Act. Besides, the organization is encouraging the NGOs to assign Designated Officers to provide information. Manusher Jonno Foundation is conducting several activities to make the Act popular among the general people. Also, the organization is carrying out various awareness programs as well as is providing training to the information officers through the Bangladesh Public Administration Department.

##### **4.12.2 BRAC:**

BRAC has been a strong supporter of the RTI movement in Bangladesh and has been an active member of the RTI Forum since its inception. The continuous expansion in range and scale of BRAC's activities has created the need for a specialized liaison, equipped with the training, information and access necessary to strengthen relationship among government agencies, other NGOs, the media and local community members as well as BRAC program staff members; and the need to ensure smooth, consistent and accurate flow of information to a broad array of internal and external audience groups. To meet these needs, BRAC has established the Partnership Strengthening Unit (PSU) at BRAC. Under the PSU, they have created the position of District BRAC Representative (DBR) in all 64 Districts, who are being deployed after receiving a 10-week special training. Currently, the 41 DBRs are working as the 'Designated Officers' required under the RTI Act, 2009 to ensure people's access to information regarding

BRAC and its activities. Besides, the Senior Manager, PSU has been appointed as the ‘Designated Officer’ at the BRAC Head Office, and the Head of PSU has been appointed as the Appellate Authority. Notably, in 2011, Chief Information Commissioner Ambassador (Retd) Muhammad Zamir exchanged dialogue with the DBRs on the RTI Act, 2009. The initiative of DBR is a part of their continued commitment to ensure transparency and accountability. In addition BRAC proactively discloses information on a regular basis. This organization has already assigned 2 interns to assist the activities of the Information Commission. The annual budget for PSU & DBRs stands at about Tk. 7 core.

#### **4.12.3 Research Initiatives, Bangladesh (RIB):**

RIB has executed several activities to establish the RTI Act. The organization has developed a team to collect information by providing necessary trainings.

#### **4.12.4 Nagorik Uddog:**

Nagorik Uddog is working to implement the RTI Act in different parts of the country. The organization is carrying out various programs to make the rural society aware of the RTI Act and also to grow their interests.

#### **4.12.5 Management and Resource Development Initiative (MRDI):**

MRDI is a non-governmental organization which is working to establish the RTI Act. The organization trains the civil society and journalists about the RTI Act and provides guidelines to private organizations about the provision of the Act. Journalists are an important part of the society who can bring change in the society by using the RTI Act effectively. The RTI Act can help the journalists in their endeavors to make investigative reports. Many journalists have unearthed valuable information by using this Act. Some case studies of MRDI are being given below:

#### **4.12.6: Nijera Kori:**

Nijera Kori is using the RTI Act in empowering the women. The organization is working to reach the Act to the root level of the society.

The organization has arranged several training program which included the landless men and women of the rural society. Besides, arranging regular discussion sessions, staging dramas regarding the RTI Act were also amongst its activities. Hence, the deprived people are being capable of obtaining sought information from the various government institutions of the country. Also, the other sectors of the society are becoming aware of this Act and consciousness is growing among the people.

Reports regarding the RTI Act have been obtained from the district administration and ministries/departments. The ministries have provided information reports based on the ministerial activities and the district administrations have provided information report on the district level activities. The private organizations have provided their activity reports individually. Below, the analyses of these reports are being presented:

#### **4.13 Analysis of the reports obtained from the Ministries:**

The analysis of all the reports obtained from ministries of the country reveals that a combined application of 2335 has been filed in the ministries and departments in 2011. Of all the applied requests, 2198 (94.13%) have been responded with sought information and the rest have been discarded. The requests have been rejected under the provision of section 7 and 8 of the RTI Act. In the year 2011-2012, the ministries have earned taka 1,991,874 by providing information.

However, only 18 ministries have received requests for information out of the 54 ministries of the country.

Further analysis of the reports show that Bangladesh Public Service Commission has received maximum number of requests for information (1831) and earned maximum amount of money (taka 19,89000) in 2011. In addition, the departments under the Ministry of Finance have received 329 applications among which 300 applications have been answered.

##### **4.13.1 Analysis of reports obtained from the districts:**

Analysis of the reports obtained from districts of the country reveals that, a total number of 4698 reports have been obtained from the districts and sub-districts. Among them, 3183 applications were submitted in Chittagong which is 68% of the total number of applications. Out of all, 4629 (98.74%) applications have been answered with the requested information, 54 (1.17%) applications have been discarded and 5 (0.11%) applications are under consideration. The discarded applications have been rejected under the provision of section 7 and 8 of the RTI Act. In spite of providing information free of cost in most cases, the districts have earned taka 23,308 in 2011.

Analyzing the reports obtained from the 64 districts of the country, it was found that 31 districts have received no application for information. Further analysis reveals that, most of the applications have been filed in the district administration office of Comilla (1089). The obtained reports substantially reflect that, the RTI Act has been best implemented in Comilla as most of the offices of this district received applications for information. Besides, all districts of Rajshahi division received requests for information except for Shirajganj and Bogura districts. On the other hand, the Sylhet division received no application in the year 2011.

##### **4.13.2 Analysis of the reports obtained from the NGOs:**

Analysis of reports obtained from the 200 registered NGO's under the RTI Act shows that, except for 15 NGOs, no other organization have received any request for information. The organizations who received application for information are: Shacheton Shahajjo Sangstha, Development Research Network (D-Net), Ankur ICT Development Foundation, Agragati, Wave Foundation, BRAC, Bachte Shekha, Integrated Special Development Effort (ISDE), Karitash Bangladesh, Proshika, Mrochao Chain Chap Ingruasia, Transparency International Bangladesh and Society of Renaissance Bangladesh, Development Initiative for Human Advancement (DIHA) and Unnoyon Shongho.

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137 requests for information have been filed in the above organizations in 2011, amongst which every request (100%) has been responded with information. In spite of providing information free of cost in most cases, the Society of Renaissance has collected taka 550 by providing information. Hence the money earned by providing information at the NGO level is 550 in total.

Further analysis of the reports reveals that, out of all the NGOs, the Society for Renaissance has received the highest number of applications (42). However, a significant number of requests have been made orally, which reflects the desire of the general people to know information.

### **4.14: Analysis of oral information requests:**

Both the government organizations and NGOs have received oral requests for information. However, all oral requests were not considered as oral in the first place. Information Officers of some districts (Bhrammanbaria, Chandpur, Jahlakathi, Patuakhali, and Patia upo-zilla of Chittagong district) included the oral requests in the list of formal applications for information and sent them to the Information Commission. While analyzing the reports, the Commission discovered the abnormality in the reports and took immediate measures to aware the respective Information Officers to follow the correct format of reporting and to encourage the people to use the RTI form in making requests.

Also, in many districts, the officers have pro-actively disclosed information by availing them in the notice boards. The oral requests for information are in other word the reflection of the people's desire to know information. However, oral applications were made as people were not aware of the use of RTI format and oral requests were seemingly the easier way of obtaining information. Notably, most of the oral requests have been answered, which shows that the government organizations are becoming considerate toward the right to information of people and the use of RTI Act will gradually arise if people keep requesting for information this way.

### **4.15 Revenue and expenditure of the Information Commission:**

In the fiscal year of 2011-12, taka 720.73 lakh has been allocated for the Information Commission. Following is the budget of the Information Commission:

<b>Code no.</b>	<b>Name of the sector</b>	<b>budget allocation for 2011-12</b>	<b>Expenditure of July-December 2012 (6 months)</b>	<b>Comments</b>
5901	Wage	99.25	20.68	
5901	Benefits	496.02	51.25	
5998	Other expenses	125.46	1.48	
	Total	720.73	73.51	Expenditure has been low as some employees are yet to be appointed

### **CASE STUDY-1**

Manoshi Chakma, a former Proshika staff, House No.-51-52 (1<sup>st</sup> Floor), Road No.-A, Block-A (J), Mirpur-6, Dhaka-1216 submitted a complaint to the Chief Information Commissioner in 31 October, 2010 informing that she appealed in 29.07.2010 following Section 8(1), RTI Act 2009 to the Designated Officer of Proshika Human Development Centre, Proshika Bhaban, Mirpur-2 to get a copy of the regulations in order to get provident fund, a list of the decision makers who suspended the process of her fund and a copy of their decision. Being unsuccessful to get information within 20 days of the application, she applied to Appellate Authority following section 24. The Appellate Authority did not respond even after 15 days of the application. Therefore, she appealed to the Information Commission.

The Information Commission arranged a hearing session where the director of Proshika Mr. Golam Faruq Khan was present as defendant. The complainant informed that she has received her due taka 39,918 but not the required information. In response, Mr. Golam Faruq Khan informed that formation and operating procedure of provident fund was available only to the staffs of the organization. Thought he added that the rule was going to be amended very soon. Once the rule was amended, the sought information could be collected from the Human Resource Division.

Though the complainant received her money, an order was issued following the section 4 & 7 of the RTI Act, 2009 to provide her the sought information.

In spite of trying in several manners, the complainant Proshika staff failed to get her money. When the Information Commission summoned the authority, the organization, soon after receiving summon, paid her the due amount. The complainant received her money within a very short span of time, which is a luminous example of the RTI Act implementation.

### **CASE STUDY-2**

Dr. Shamsul Bari, House No.-7, Road No.-17, Block-C, Banani, Dhaka-1213 and Chairman of Research Initiatives Bangladesh (RIB) submitted an application to Sheikh Abdul Mannan, Designated Officer and Member, Planning, RAJUK, RAJUK Bhaban, Motijheel, Dhaka-1000 to get copy of rules and regulation on the establishment of buildings in any area; the procedure to take action against the establishments in non-residential area and the concerned file on the opinions of the inhabitants. Failing to get information after 20 days of application, he appealed to the Appellate Authority on 14.07.2011 following section 9(1) of the RTI Act, Having received no response from there; he filed a complaint to the Information Commission on 18.08.2011.

The complaint was taken into cognizance by the Commission, therefore summoned the relevant parties on 13.10.2011. In response to the complaint, Sheikh Abdul Mannan informed that he has already provided the sought information. But the complainant informed that he has not received any information regarding his first application requested on 29.05.2011. The Commission checked the case thoroughly and found that the sought information in the first and second phases were almost the same. Yet, the

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Information Commission ordered to give all the required information and let him see all relevant documents. Thus, Dr. Shamsul Bari got to see the required documents and expressed his satisfaction.

### **CASE STUDY-3**

Sheikh Ali Ahammad, son of Late. Sheikh Md. Abdul Aziz, 31/3, Masdair Link Road, Sub-district-Fatullah, District-Narayanganj, applied to Araihajar Sub-district Health and Family Planning Officer to get a copy of information regarding Mr. Mamun, Thana - Fatullah, District – Narayangang, if was admitted in Sub-district Health Complex as a patient from 7/04/2009 to 11/04/2009; and a copy of information if Mr. Hanif Haulader, SI of CID Department, had asked for any requisition for information to the Sub-district Health Complex regarding this matter. Having received the request, the Sub-district Health and Family Planning Officer formed an investigation team and ordered to submit a report. The complainant, being informed about the completion of investigation, sent a reminder on 02.03.2011. Yet, he did not receive any response and therefore appealed to the Appellate Authority who was Dr. Md. Khorshed Alam, acting Civil Surgeon. The Civil Surgeon sent a letter to the Director General of Directorate of Health to know the provisions for a general citizen to get information. In response, the Director General referred the Law Officer and ordered to provide information. The complainant was informed from the Civil Surgeon Office that a letter was sent to the Sub-district Health and Family Planning Officer and asked him to collect the sought information from there. But Dr. Md. Golam Mostafa from Upazilla Health and Family Planning Office informed him that a new investigation team would be formed to collect information. In this regard, Sheikh Ali Ahammad filed a complaint to the Information Commission on 24.04.2011 informing his experience of harassment.

The complaint was taken into cognizance and served summon. Upazilla Health and Family Planning Officer informed that he provided the information to the complainant. But the complainant informed that the information was confusing and incomplete.

After hearing and considering the views of both sides, the Commission decided that by ignoring Civil Surgeon's direction and providing partial and confusing information, Dr. Md. Golam Mostafa, Upazilla Health and Family Planning Officer, has violated the RTI Act, 2009. The Commission ordered Upazilla Health and Family Planning Officer to provide the required information within seven days and fined him Tk.1000. The Commission also warned the Civil Surgeon Dr. Md. Khorshed Alam to be more responsible in future.

In his defense, Dr. Md. Golam Mostafa filed a writ petition in the High Court. But the High Court rejected his writ petition; therefore the order of the Information Commission prevailed.

### **CASE STUDY-4**

On behalf of Bangladesh Environmental Lawyer's Association (BELA) Ms. Saima Afroz, Monitoring and Evaluation Officer, House-15/A, Road-3, Dhanmondi Residential Area, Dhaka-1205 requested for information to the Designated Officer of

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the Directorate of Sea Transport regarding (a) a list of the ships to have received NOC according to the declaration of the court (b) name of the NOC providing officers (c) evidence of fulfilling the requirements of NOC certificate imposed by the Directorate of Environment (d) list of imported ships (nature, weight and waste list) (e) a copy of NOC and certificate of waste-free ships (f) countries those ships were being imported from and if they were enlisted in the Basel Convention .

Being unsuccessful to obtain the required information within the due time, she appealed to the Appellate Authority. Receiving no response from that end, she filed a complaint to the Information Commission. The Commission took the complainant into account and served summon on the respective authorities. The accused officer attended the hearing and informed the Commission that they have already provided the information. But BELA authority was not completely satisfied with the provided information as they required detailed information, therefore asked for an opportunity to inspect the sought documents.

After the hearing on 09.02.2012, the Information Commission ordered the Designated Officer of the Directorate of Sea Transport to provide BELA the required information and provide them the opportunity to inspect the documents. Thus, BELA got the opportunity to inspect their sought documents.

### **CASE STUDY-5**

Mosharrof Hossain, inhabitant of Daudkandi Sub-district, Mohammadpur Union, borrowed money with high interest rate to arrange capital for his three sons to send them abroad for employment. He sold his land and house in this process. In this way, he managed taka 3,09000 and gave it to Messer's Al-Mokhles Enterprise.

Even after passing a long time, the mentioned recruiting agency did not inform him about any executed initiative regarding his sons' employment. Mosharrof Hossain with his twelve family members started facing serious scarcity in managing their financial need. In such a critical situation, Mosharrof came by an organization named 'Assistance for Human Resource Development with Technology' (AHRDT) and enrolled himself as a MRPC Committee member. He learned much necessary information on migration from this organization. To seek justice, Mosharrof submitted an on-line complaint to the BMET about the cheating of the recruiting agency and went to BMET for hearing as well, but failed to get any result. MRPC and AHRDT also were unable to help him in this case.

In 2011, Manusher Jonno Foudation arranged a workshop on right to information in Daudkandi, Comilla. MRPC and AHRDT members attended the workshop and they learnt how people can take measures against violation of rights through the RTI Act. Participants were made aware about the actions they should take in case they were deceived by an organization.

Mosharrof, being aware about the RTI Act, appealed to the BMET to get a copy of the judgment. But he was not provided with any response, which led him to file complaint in the Information Commission. Soon after filing complaint, he received a letter from the BMET Director informing that his complaint was true and BMET ordered to

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Messer's Al-Mokhles Enterprise to pay Mosharrof taka 2,52,000. If they violate this order, BMET will take action against them following the Immigration Ordinance 1982.

### **CASE STUDY-6**

SAFE, a non-governmental organization, needed to know the number of Prawn Processing Organizations who pay the minimum wage to the labors to plan their activities ahead. SAFE staff Asaduzzaman applied to the Designated Officer and Deputy Principle Inspector of the Directorate of Labour, Khulna following the RTI Act, but the officer denied accepting his application. Being helpless, Asaduzzaman re-requested for the information through a registered letter, but he did not get any response within due time.

Afterward, he appealed to the Appellate Authority (Principle Inspector, Directorate of Labor) using postal service. In response, the Chief Inspector of Khulna Division issued a letter recommending providing the information to the Deputy Inspector. The relevant department requested Asaduzzaman to submit a written appeal for the information addressing the Deputy Inspector. But even after following the procedure, he received no response from the authority. Therefore, he filed a complaint in the Information Commission. Coincidentally, he received a letter imparting the sought information at the same day he filed the complaint in the Commission, though the provided information was not accurate and did not follow the RTI Act.

During the hearing process, Asaduzzaman presented evidences to prove his ground. After assessing the evidences, the Chief Information Commissioner ordered the Deputy Principle Inspector to provide accurate information within one week. Also, he rebuked the two colleagues of the respondent for not being helpful toward the applicant. Finally, Asaduzzaman succeeded in receiving his sought information.

The RTI Act has accelerated the official activities of the relevant organizations. At present, all the prawn processing organizations out of 37 are disbursing government declared minimum wage. The directorate is now more active in providing information.

### **CASE STUDY-7**

Ms. Doli Akter, President of Bakterpur Union Polli Shomaj (Grassroots Forum of the poor, especially women) of Kaligonj Sub-district, Gazipur, under BRAC Community Empowerment Program, was selected as "*Tathayabandhu*" (Information Friend). She received "*Tathayabandhu Training*" in 2011 through BRAC's Creating Awareness on Right to Information Law for Community Empowerment Project. From this training she learnt the rules and regulations to obtaining information and details about the RTI Act.

Md. Soleman Mian, a poor farmer of Mohani village, approached to Ms. Doli and expressed his interest to know about land mutation, time, expense, required documents and other relevant information. In succession, with the help of Doli Akter, Soleman Mian applied to the Kaliganj Sub-district Land Office to know the above information using the RTI Act on 17<sup>th</sup> November, 2011 and received his sought information on the

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same day. Using this information, Soleman registered one *bigha* (approximately 0.33 acre) of land with only 252 taka fee. Soleman expressed his satisfaction this way, "Last time I wanted to know about the fee, the authority demanded 10 thousand taka. But now I am very pleased to complete this mutation with such a low amount and within a short period of time."

### **CASE STUDY-8**

There are a large number of landless people among Robidas community living in Syedpur Sub-district, Nilphamari. They have a long desire to get sanction of *khlas* land from the government, but until now they have failed to get any such allotment. Mithun Das, member of mass research from the Research Initiatives Bangladesh (RIB), appealed to the Assistant Commissioner (Land) using the RTI format to obtain the following information: (1) the number of total *mouzas* in 5 no. Khatamodhupur Union; and (2) a copy of *khlas* land in each *mouza* of Khatamodhupur Union excluding of the road and allocated land according to the no. 1 *khotian* of no. 8 registrar.

After three days of application submission, Assistant Commissioner (Land) made a phone call to Mithun Das and asked the rationale of requiring information about *khlas* land. Mithun Das informed him his awareness about the RTI Act and requested the AC (Land) to provide the required information. Therefore, on the 20th day of application, Mithun Das received a letter from Syedpur Sub-district Land Office informing that he was requested to pay taka 7.00 as the fee of information within five working days. To make the payment, he went to the land office but faced trouble to deposit the money. Finally, he made the payment through revenue stamp and received a photocopy of all required documents on the same day.

The government officers, though at the first place were reluctant to provide information, later provided the information being obligated to the RTI Act. Now obtaining information is easy if people know how to appeal using the RTI Act.

### **CASE STUDY-9**

For a very long time, the Khagrachori Sadar Hospital has been incompetent in providing health service to the patients. Milon Chakma, a member of the RTI Project, Research Initiatives Bangladesh (RIB), raised a proposal to appeal to the Designated Officer of the hospital and did so on 27th June, 2011, asking for the following information: 1. a list of free medicine 2. A copy of the price required for M.R service.

After a few days of submitting the application, Milon Chakma received an invitation from the hospital R.M.O to meet him. When Milon Chakma went for the meeting, he realized that the R.M.O were not aware of the RTI Act, so at first he misunderstood Milon Chakma of having an issue with the doctors of the hospital, therefore he wanted to be a mediator. But after hearing about the RTI Act, the R.M.O expressed his pleasure and provided the sought information to Milon Chakma within a few days.

By reviewing the information, Milon Chakma came to know that the hospital was providing 77 types of medicines and M.R delivery service was provided at free of cost.

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Therefore he, with the help of his organization, decided to disseminate this information to the mass people. Currently, their initiative to make people aware of accessing information using the RTI Act is going on.

### **CASE STUDY-10**

Hasan Eusuf Khan lives in Gazipur. His mother Khurshid-Un-Nahar complained against the officers and staffs of Sub-district Land Office on the ground of corruption to the Deputy Commissioner. The Deputy Commissioner ordered the Sub-district Executive Officer to investigate the truth. After the completion of the investigation, the Sub-district Executive Officer submitted a report to the Deputy Commissioner. Afterward, Hasan Eusuf Khan requested to the SA branch of the Deputy Commissioners' Office to show the report, but the authority denied availing him the file as that was an official investigation report. Therefore, he was compelled to use the RTI Act, 2009 to retrieve the information.

As the RTI prescribed application format was not available, he used white paper to make the application and submitted that in the Deputy Commissioner's Office. The Office suggested him to apply to the Designated Officer of the Sub-district Office. After going to the Sub-district Office, he learned that the Sub-district Youth Development Officer was the only Designated Officer for all Sub-districts (according to Act, there should be individual Designated Officer for each Sub-district). Hence he appealed to the Sub-district Youth Development Officer.

Since the Designated Officer had little knowledge about the RTI Act, after receiving the application he forwarded that to the Sub-district Executive Officer and the authority held the application without taking any action.

When Hasan Eusuf Khan went to the Sub-district Office, he came to know that the Sub-district Executive Officer did not take any action regarding his application as he was unaware of it. Therefore the Sub-district Officer referred him to the Sub-district Youth Development Officer from where he was able to obtain his desired information. The information he attained using the RTI Act, resolved many of his land related complexities.

Hasan Eusuf Khan submitted another application to the Deputy Commissioner's Office to know the actions taken against the accused officers/staffs. The Deputy Commissioner's Office responded that since the matter was subjected under divisional judgment, the information was exempted by the section 7 of the RTI Act.

### **CASE STUDY-11**

Though Mosharrof Hossain was a marginal farmer from Banaripara Sub-district of Barisal District, he never received any help from Banaripara Sub-district Agriculture Office. He realized that the allocated agriculture resources were not being properly distributed among the farmers. Also, he assumed that there were irregularities in IPM Club and ICM School operations. One day, he got introduced to a journalist named Mijanul Islam who learnt the RTI Act from a workshop arranged by Nagorik Uddoyog

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and Right to Information Movement in Banaripara. Mijanul Islam sensitized Mosharrof Hossain about the Act.

Therefore, in assistance with Mijanul Islam, Mosharrof Hossain appealed to the Banaripara Sub-district Agriculture Officer following the RTI Act on 17<sup>th</sup> May, 2010 to obtain the following information: 1. account of allocated money for irrigation machine, irrigation lane, power tiller, others instruments, fertilizer and seed as well as a list of their distribution 2. a copy of the list of IPM Club, ICM School and farmer trainings, 3. condition of undistributed agricultural tools.

Sub-district Agriculture Officer Haridas Shikari denied accepting his application. Being unsuccessful to obtain information from him, Mosharrof Hossain appealed to the Sub-district Executive Officer on 31<sup>st</sup> May, and the Officer forwarded the application to the Sub-district Agriculture Officer.

In action, the Sub-district Agriculture Officer sent a letter to the Deputy Director of the Directorate of Agriculture Expansion, Barisal Region on 30<sup>th</sup> June, 2010. Also, he sent a copy of the letter to the Sub-district Chairman and Sub-district Executive Officer. The Sub-district Executive Officer informed Mosharrof Hossain about the progress through an official letter. On 12<sup>th</sup> July 2010, Deputy Director Bikash Indu Mandal asked for suggestions from his higher authority, which was the Additional Director of Directorate of Agriculture Expansion, Barisal Region. On 26<sup>th</sup> July 2010, the authority informed Mosharrof Hossain that his request has been overruled considering the information as classified according to the B form of the RTI Act.

On 19<sup>th</sup> September 2010, Mosharrof Hossain appealed to the District Agriculture Officer regarding this issue, but the authority did not accept that application informing that they are not authorized to disclose that information. Afterward, Mosharrof Hossain sent a copy of the application to the Deputy Commissioner. In this process, the Deputy Director Bikash Indu Mandal informed him through a letter that a letter was sent to the Additional Director imparting his appeal. A copy of the letter was also sent to the Sub-district Chairman, Sub-district Executive Officer and Sub-district Agriculture Officer.

After the expiration date for appeal dismissal, Mosharrof Hossain, on 2<sup>nd</sup> August 2010 submitted a complaint to the Information Commission through postal mail. On 22<sup>nd</sup> March 2011, hearing on his complaint took place in Information Commission. At the end of the hearing, Haridas Shikari was rebuked for his activities regarding Mosharrof Hossain's application and ordered him to provide the sought information within a fixed time. A new hearing date (17<sup>th</sup> April, 2011) was fixed at the end of the process. Notably, the 523 pages information was delivered to Mosharrof Hossain before the deadline.

Sub-district Agriculture Officer Haridas Shikari, Deputy Director Bikash Indu Mandal and Additional Director of Barisal Region were present in the final hearing date. On that day, Mosharrof Hossain complained that the provided information by the authority was incomplete. Therefore, the Commission fixed another date to provide information and ordered to follow the RTI Act properly. Within a very short time, Mosharrof Hossain received more than 300 pages information. The victory of Mosharrof Hossain inspired many others as a large number of applications were submitted to various authorities following this incident.

### **CASE STUDY-12**

Masud Rana went to the Barisal City Corporation Office to collect his birth certificate, but was refused by the authority to provide the document and asked him to come some other day. Later, he went to that office several times, but did not get the desired certificate. After passing someday this way, he came to know that his certificate has been lost from the City Corporation Office. Thereafter, when he went to the authority, The Designated Officer asked him to apply for the document again. Even after applying for the second time, he was not provided with the document and was harassed. At one point, Masud Rana came to know about the RTI Act, 2009 from a workshop arranged by Nagorik Uddoyug.

Afterward, he applied following the RTI prescribed format to the Designated Officer of the Enex Bhaban of Barisal City Corporation to know about the status of his birth certificate which was prepared during Birth Registration Campaign on 27<sup>th</sup> October, 2010.

The Designated Officer for Birth Registration requested him to withdraw his application with the promise of helping him to get his certificate. Thus, Masud Rana was successful to obtain his Birth Certificate.

### **CASE STUDY-13**

All the documents and evidences on child death caused by toxic Paracetamol got missing. As a result, case resolution on child death became more complex and it was made inoperative for seventeen years. This news was promulgated in 2010 when Imran Hossain, a reporter of The Daily Star, appealed to the Directorate of Medicine Administration to get the relevant information on child death incidence. Beside the organization, he appealed to other 9 government organizations and NGOs including Ministry of Health, Police Administration, Joint Stock Company and BSTI to get the information. None of these organizations had appointed any Designated Officer that time. The Joint Stock Company denied accepting any written application informing that their information was open for all and they would pro-actively disclose information when needed. Notably, among all the organizations, only Joint Stock Company provided some information regarding this issue. All other organizations remained silent due to unavailability of information.

To obtain information, Imran Hossain appealed to the Appellate Authority, but failing obtain any from there led him to file a complaint in the Information Commission on 13<sup>th</sup> March, 2011. On 14<sup>th</sup> March, the Information Commission issued an order on the relevant organizations to take immediate action. Ten days later, 4 organizations replied in written format informing that none of them had any information about that incident. Until now, the Ministry of Home Affairs and the Ministry of Health have not preserved their information following the RTI Act, 2009.

Though Imran Hossain did not get his desired information, he depicted a picture of corruption, irregularities and irresponsibility to the general people which played a great

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role in making the authority conscious on their responsibilities. This news was published in The Daily Star (19<sup>th</sup> October 2011) under the headline ‘Deaths from Toxic Paracetamol, All records ‘lost’ from drug office, Finds The Daily Star inquiry; disappearance of evidence deals blow to pending cases’.

Following this example, the Management and Resources Development Initiative (MRDI) and the World Bank Institute have taken an initiative to increase the skill of the reporters and decision makers of the Bengali and English newspapers and TV Channels. The motto of the training program was to make the journalists conscious and inspire them to use the RTI Act in making investigative reports. Imran Hossain also participated in the training program as a participant.

## CHAPTER-5

### Reformation Proposal on RTI Act and its Implementation

#### 5.1 Opinion/Proposals from Secretaries of Different Ministries/Departments

##### 5.1.1 Mr. M. A. N. Siddique

**Secretary, Department of Roads, Ministry of Communication**

Chief Information Commissioner/Information Commissioner/Secretary can attend the monthly Divisional/District Commissioners' meeting. Their presence and valuable discussions on RTI Act 2009 will inspire and create awareness among Divisional Commissioners/District Commissioners.

In our country print and electronic media personnel are not keen about investigative news collection and publication. So, in most cases they do not intend to collect information following the prescribed RTI Act application format. They usually demand information directly on the spot. So an initiative can be taken to change their mindset for coming out of this practice.

##### 5.1.2 Mr. Md. Mojammel Hoque Khan

**Secretary, IMED Ministry of Planning**

RTI Act, 2009 is a well written effective document/manuscript. It will work as a force for ensuring the accountability, transparency, anti-corruption and establishing good governance in Bangladesh. The ultimate goal and objective of this manuscript will be achieved if it can be reached to all people in the simplest description and also if all the Government and Non-Government Organizations effectively follow, exercise and implement all the described section in this Act. Through proper implementation of this act the image of our country will be outshined both at home and abroad and also it will drive the country towards affluence.

##### 5.1.3 Mr. Bhuyian Shofiqul Islam

**Secretary, Ministry of Planning**

RTI Act will help to achieve citizen rights. In this regard, it is a great initiative. This Act is a sign of prove that we are moving forward to democracy. I wish the vast publicity and effective implementation of this Act.

**5.1.4 Mr. Md. Abu Taher**

**Additional Secretary, Department of Fuel and Mineral Resources**

It is the constitutional right of a citizen to know the correct information. To put into action of this right, RTI Act 2009 has been drawn up/formulated. The successful implementation of this act will play an important role to improve the living standard of general people through ensuring the availability of information according to their demand.

Since this Act has been introduced only two years ago, it needs vast publicity, especially the grassroots people who lives in rural area need to have a clear idea about their right to know information and also about the way how they can get this information.

Some parts of this Act need to be revised-

- The concept of appellate authority/administrative head should be clearer.
- Delegation of appellate authority can be considered.
- When anyone applies for information, the purpose should be clearly written to check out the relevance of requiring this information for that particular person/organization.

I wish the effective implementation of this Act.

**5.1.5 Mr. Md. Mahfuzur Rahman**

**Secretary, Parliament Secretariat**

In the RTI Act both information giving and receiving is inter-linked. So this process will be more successful if the information receiver party (specially print and electronic media journalists) should undergo training that the information giver officers do before starting their duty in practical field of information giving out.

**5.1.6 Mr. Md. Rofiqul Islam**

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Secretary, Ministry of Information and Communication Technology, Agargaon, Dhaka

This Act is an effective initiative for ensuring good governance and anti-corruption. We are very optimistic to eliminate troubles, but at the same time we have limitations also. Citizens should know detail about the Act, otherwise they will fail to take the advantages of this Act. Of course, there is a chance of misuse of this Act. Sometimes people demand information in reactive way rather than proactive. It should be judged again.

Still we have confusion about which one is information and which is not. So, we need to be clear about people specially journalists are demanding for information. However, I wish successful implementation of this Act, establishment of good governance and elimination of corruption.

### **5.1.7 Mr. Syed Manjurul Islam**

**Additional Secretary, Finance Division, Ministry of Finance**

1. Free flow of information can play a remedial role for a happy, prosperous, poverty free and sensitized Bangladesh. It will also ensure good governance, democratic process and empowerment of people which will boost financial growth.
2. Proper application of RTI Act and removal of all hindrance for free flow of information, we need to change the traditional mentality of information dissemination. Practice of this Act and overcoming some functional limitations, there is a remarkable change at the free flow of information. Some opinion in this regard are as the following:
  - Offering training for relevant profession and organization for providing information. Fixation of some behavior rules.
  - There should be a provision of delegation of power of the organization head for appeal mitigation if necessary.
  - Information Commission can take an initiative to monitor different organizations activities to supply and updating their information in websites and also the visitors' information.
  - Organization will have to work with a mentality to do a vast job and also to discourage tricky information demand.
  - Organization will have to be strict to realize take the bill for information supply and also sanction a portion of the previous year earned money to meet up the cost of the present year.

### **5.1.8 Mr. Khondoker Md. Asaduzzaman**

**Secretary, Ministry of Defense**

I consider the introduction and implementation of RTI Act as an important achievement for ensuring transparency and accountability, anti-corruption activities and establishing good governance. In this moment, the most vital initiative need to be taken is to identify and remove all the obstacles and difficulties for the implementation of this Act. For this, awareness publicity should be initiated for all who are giving and who are receiving information.

**5.1.9 Mr. A. M Mortuza Hoque Chowdhury**

**Additional Secretary, Ministry of Commerce**

In a democratic society, it is citizen's right to get information. RTI Act 2009 is seemed to be perfect. Now the challenge is the proper implementation. Citizen who need the information need to know at first where and how they will get these information. It is urgent for transparency and accountability.

**5.1.10 Khondoker Moshtaq Hossain (Ph.D)**

**Secretary, Ministry of Grihayan & Ganopurto**

RTI Act is very relevant, necessary and contemporary. This Act is very important for establishing transparency and accountability, anti-corruption and ensuring good governance. But its success depends on the practice and implementation of this Act. Information Commission is aware about that. From its establishment Information Commission is arranging training for the staffs and informing all about their duties. As a new initiative, it has limitations which are expected to be recovered day by day.

**5.1.11 Mr. Ujjal Biswas Datto**

**Secretary, Ministry of Fish and Animal Resources**

RTI Act is formulated very recently. As a result many people are not well informed about this Act. So, it needs huge publicity to create more awareness among people. In a democratic state system there is no other alternative of the free flow of information to establish transparency and accountability.

For a long time, we have experienced a culture of confidentiality which is now the most vital challenge for the implementation of RTI Act. To break this tradition, we need to bring positive change in society and mindset of the people. To do this a wide window will have to establish through chemistry among all people irrespective of class and profession.

Initiatives taken by all individual ministry and organization will make the Act more effective and strong. Willingness and commitment from all official related to different organizations can play effective role for its success.

**5.1.12 Surayia Begum NDC**

**Secretary, Ministry of Cultural Affairs**

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Introduction and application of RTI Act bears enormous importance for the free flow of information and ensuring the information rights of the citizens. For the implementation of this act, all the ministries and organizations will have to take initiatives and at the same time the interested people who want information need to be well informed about their rights.

Proper implementation of this Act will increase transparency and establish good governance.

### **5.1.13 Mr. Muhammad Humayun Kabir**

#### **Secretary, Ministry of Health and Family Welfare**

RTI Act 2009 is an important document. This Act can play vital role for establishing good governance and accountability. It can act as a bridge between government and citizens. In this regard, awareness from government officials is also necessary. Since it is very new, there may be lack of awareness. All officials need to be positive minded toward this Act and also they need to enhance their capacity. Information Commission can play vital role in this regard.

### **5.1.14 C. Q. K. Mushtaq Ahmed**

#### **Secretary, Ministry of Agriculture**

Since we have lacking in citizen responsibility, we have to maintain confidentiality in decision making. Sometimes, agriculture related information throws impact on prices of daily food need which affects citizen right and socio-political stability. So, it can not be expected that within short time we will get a final result of this Act. Some people can misuse the service available by this act. So, it should be noticed.

### **5.1.15 Mr. K. H. Masud Siddiquee**

#### **Secretary, Ministry of Industry**

RTI Act is a milestone in regard to the establishment of democracy in Bangladesh. In the last ten years, we have huge achievement in our socio-economic context. This act is in line with our constitution. Citizen holds all the power. So, this act is very suitable and contemporary for establishing transparency and accountability. Citizens have rights to know about government's activities. So, to empower people it is very necessary to face the challenge of proper implementation of this act from both government and non-government organization. This act has created awareness among all and has gained positive advance for democratic practice.

### **5.1.16 Mr. Nabo Bikram Kishor Tripura**

#### **Secretary, Ministry of Chittagong Hill Tracts**

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Through vast publication of citizen charter in different relevant places, implementation of RTI Act 2009 will be successful. Every organization will display Citizen Charter. To inform people about RTI Act, still we need more publicity.

### **5.1.17 Mr. Abdul Awal Haolader**

#### **Additional Secretary, Department of Food, Ministry of Food and Disaster Management**

All the discussions in this meeting should be posted in website. I believe through this meeting we have gained a lot.

### **5.1.18 Dr. Kamal Abdul Naser Chowdhury**

#### **Secretary, Ministry of Industry**

- It needs to publish a circular about the responsibilities of the designated person /“Daittoprapto Kormokorta”. In this regard, it is needed to be clear who will be the “Daittoprapto Kormokorta”.
- Ambiguity on appellate authority should be removed. According to this Act, Divisional Commissioner is the appellate authority of Deputy Commissioner Office. In this case, it is tough to go there to appeal.
- Information Commissioner can attend meeting arranged at different ministries.

### **5.1.19 Mr. Mohammad Shofiqul Alam**

#### **Secretary, President Office**

Official Secrets Act.1923 should be synchronized with RTI and the sections contradicted with RTI should be rectified. Only overriding section is not enough, because when concerned authority will follow original law they can not be claimed.

### **5.1.20 Mr. Hedayetullah Al Mamun**

#### **Secretary, Ministry of Information**

RTI Act 2009 is a landmark in the history of Bangladesh. It is the reflection of Governments' commitment at Election memorandum/Ishtihar. Right to information is very important for the rule of law, transparency and accountability in financial activities of Government. I wish, newly started Information Commission will be the center point for free flow of information within a very short time.

### **5.1.21 Mr. Khandaker Anoarul Islam**

**Acting Secretary, Department of Bridge**

1. Under Strengthening Information and Communication Technology (SICT), Secretariat Backbone has been developed. It is also supported by Optic Fiber Network from BTCL. Connection of Information Commission with these two, may improve its services and also it will be helpful for Information Commission to monitor its activities and advancement.
2. For ensuring availability of information, Information Commission should provide their email address in its website and also to send all Ministries/Directorates/Divisions/Departments.
3. Ministries/ Directorates/Divisions/Departments should publish all of their reports in their websites instead of hardcopy and in this way people will get easy access to information.
4. For ensuring easy management and access to information, Information Commission can maintain up-linking with all Ministries/Divisions/Departments rather than preserving a lot of information in their website. It will be helpful to monitor and manage everything.
5. Unicode will have to be ensured; otherwise it will not be possible to ensure information for all. All designated officers have received training for the implementation of Unicode.
6. Vast publicity initiative will have to be taken to introduce Whistle Blower Protection Act-2011 among people and its practice will have to be ensured.
7. The manually directed Grievance Redress System under the ministerial division is proposed to be automated from Asian Development Bank. Speedy implementation of this will ensure more success of RTI.
8. It is necessary to develop off-line system between inter-ministerial division and Information Commission which will prevent hacking or the unnecessary disclosure of privileged document.
9. Press briefing should be arranged to disclose the discussed issues in every meeting.

**5.1.22 Mr. Shofiq Alam Mehedi**

**Secretary, Ministry of Labour and Employment**

RTI Act 2009 is a contemporary act. In the age of globalization, it is the demand of time to ensure free flow of information for the citizens. Our Constitution also directs on the free flow of information. The followings might be considered in the application of this act:

- Establishment of “Information Center” in open place of every Government/Non-Government/Self-Governed offices and recruitment of staffs.
- Establishing divisional service center of Information Commission in the divisional administrative premise.
- Immense advertisement in print and electronic media about Right to Information Act.
- Updating and enriching all organizations websites.

**5.1.23 Mr. Mahbub Ahmed**

**Secretary, Ministry of Youth and Sports**

## **Information Commission of Bangladesh**

Good Governance is directly related to development and to ensure Good Governance, transparency and accountability is a must. There is no alternative to free flow of information to ensure transparency and accountability. RTI Act 2009 is a commendable and opportune initiative of Government to ensure good governance, accountability and free flow of information. This act will play vital role to accelerate development of Bangladesh and to guarantee good governance and accountability in Government and Non-Government organizations.

The following initiatives can be taken for the quality accomplishment of the RTI Act:

1. All organizations under the RTI Act will have to incorporate all information (that can be required by the citizens) of that particular organization in their annual report.
2. To incorporate all update information in official websites.
3. Deputy-Secretary ranked responsible person of different ministries as focal point will take the initiative of information technology training for the “Designated Officer”.
4. It will be made sure to get information from all Government, Non-Government, private and self governed organizations.
5. State-interest and development related information from different Government, Non-Government research organizations will have to be available.
6. Procedure of punishment for any kind of misrepresentation of information can be incorporated in this act.
7. Since Official Secrets Act 1923 is still in existence, there should be clear direction about limitation and scope of information bestowal.

RTI Act 2009 will meet up citizen's information need successfully. I believe, RTI Act 2009 will play vital role to ensure transparency in Government activities, establishing good governance and empowering people.

### **5.1.24 Mr. Md. Mokhlecur Rahman**

#### **Secretary, Ministry of Land**

In Bangladesh, most of the people still live in rural area. They go to Union Administrative office to solve their problem. So, Information Commission needs to take huge initiative to avail and to supply information for those people.

### **5.1.25 Mr. Md. Ashraful Mokbul**

#### **Secretary, Ministry of Garment and Jute**

- RTI Act is in no doubt an important and timely initiative.
- It is necessary to make clear to media about information supply.
- Information Commission can give reminder to all Government offices (from Upazilla to Ministry) to publish their annual report.
- Front desk/Receipt and Dispatch section can be laid down to “Designated Officer”.

### **5.1.26 Dr. Jafor Ahmed Khan**

**Secretary, .....**

RTI Act 2009 is a timely initiative. Informing all about this act and taking initiative of implementation of this act through Information Commission is an exceptional endeavor. I welcome this. Free flow of information will increase transparency and accountability in administration. It will add swiftness in administrative works. Dissemination of information will eliminate corruption.

I wish all the success of this act.

**5.1.27 Mr. Iqbal Mahmud**

Secretary, Economic Relations Department

Law is introduced to create fear among people and it is not possible to get the highest success in law implementation. So, public awareness is very necessary. Most of the time mass people are deprived from government services or they suffer for corruption. The main reason behind this is they do not know clearly about their rights and if they know then they are ignorant about from where they can get these services. So, at first we need to reach these deprived people.

**5.1.28 Md. Alauddin**

**Joint Secretary, Ministry of Shipping**

Following remarks/views are given below in respect of Right to Information Act, 2009. That requires some activities for its effective implementation. Activities must be taken by different persons, bodies, agencies (Go-NGo) of all public institutions.

- Right to Information Act, 2009 has to be won by all ministries/divisions equally.
- Focal point in each ministry/division must be appointed to coordinate the RTI activities among information communication ministry and subordinate offices/departments.
- RTI should be transformed/elevated as daily routine matter for the respective office.
- Primarily Joint Secretary (Admin) of the Ministry/Division can be oriented and trained for proper coordination and supervision of RTI activities.
- Monthly/Quarterly report system could be starting best practice of RTI.
- Workshop can be organized for DPK and focal points.
- RTI can be included in the budget. The general assent of finance Division to the Budget for RTI shall be arranged through Information Commission.
- Time to time Commission official may audit the RTI activities of different offices.
- Easy of understandable discussion, publicity may be arranged and demonstrated for the core stake-holders. Outline the benefits of RTI practice in the personal as well as national life.
- Commission may arrange satellite training programme at the administrative Ministry/Divisions covering all DPKs and focal points of the subordinate offices of the Ministry/Divisions.
- RTI can be included in the syllabus of the Exams of Department/Senior Scale Exams of the PSC.

## **5.2 Reformulation Proposals from District Administration**

Manikganj: Ensuring more involvement of general people for successful implementation of RTI Act and arranging training for information officers of different organizations.

Netrokona: Arranging documentary show in various public places of Upazilla, Union and village to inform people about their right to know information through a joint collaboration among print and electronic media and district information office.

Jamalpur: According to RTI Act citizen or organization can want to know information. In this regard, the “Designated Officer” is aware about their duties.

Jessore: .....

Chuadanga: Availability of all Government information should be ensured in district level to serve citizens' requirement for information.

Magura: Money should be sanctioned for publicity work to let people (especially rural people) know about their right to information.

Sylhet: Designated persons and financial support can be arranged in every Upazilla.

Pirozpur: There should be a clear direction about the money realized from information providing procedure.

Vola: For the implementation of RTI Act and a speedy free flow of information, infrastructure, training and publicity is very important. In this regard, Information Commission can sanction money.

Nilphamari: All information must be published in website.

Thakurgaon: Initiatives can be taken to create awareness through meeting and media.

**Khagrachori:** To aware people, rally, seminar and meeting can be arranged at district and upazilla level.

**Rangamati:**

- For more effective implementation, RTI Act 2009 can be included in Mobile Court Act 2009.
- Rally and other ways can be followed to make people aware about RTI.

**Lakshipur:** More publicity initiative on RTI should be taken.

**Comilla:** Publicity in print and electronic media, creating public awareness and supplying written form for application. Since people are not interested to invest money for information, this system can be abolished.

### **5.3 Reformulation Proposals from NGOs**

- In case of wrong application, there should be provision to apply again.
- Establishing Information Commission office at district level.
- Increasing publicity for public awareness.
- Allowing consent from grass root male-female.
- Mass awareness building, creating demand and ensuring services.
- Building skilled manpower.
- Availing service at the door of citizens, ensuring diversified use of mobile. Technology based education, poverty reduction, developing living standard, agriculture, speedy service providing activity related websites should be well developed.
- Publicity to encourage people to know information.
- Arranging annual meeting with various professionals from District Information office.
- Collaboration meeting arrangement with NGOs working at district level from District Information office.
- Huge publicity through radio, television and newspaper.
- Implementation of RTI Act.
- RTI Act will gain its goal through publicity about its advantages, necessity and service.
- Board displaying the name and address of “Designated Officer”, appellate authority and complaint authority.
- Observation of “Right to Information” day.
- Publicity work through popular theatre, cultural program, rally to make the act popular.

## 5.4 Challenges to RTI Implementation

From its establishment at 2009, Information Commission is working to implement Right to Information Act. In the way of working, the following challenges have been noticed:

- Ambiguity and Limitations in RTI Act: There is noticeable ambiguity in some sections especially on appellate authority. Since the provision of pre-permission is not very clear, Information Commission faces problem to take decision in many cases. Beside this there is another ambiguity about either the government granted organizations and those which are licensed from government and receiving subsidy are under the RTI Act or not.
- Lacking in Publicity on RTI Act: Though RTI was introduced two years ago, a large part of people do not know very well about this act. Even though the educated people also are not very clear about this. The main reason behind problematic application submission to Information Commission is the ignorance about this act.
- Absence of “Designated Officer” in all offices: Though according to this act, within 60 days in all offices designated officers will be recruited, after passing two years we have not. Though people have enough interest to know information from Non-Government MPO educational institutions, they do not have any “Designated Officer”. Concerned ministry has not declared any circular still. A large number of Non-Government organizations are not showing any interest to recruit “Designated Officer”. As a result people requiring information are facing problem to get proper service. Beside this, it is always late to recruit new staff in the case of transfer. As a result people are facing problem.
- Lacking in the Publication of Self-motivated Information: In spite of clear direction in RTI Act and from Information Commission, GO and NGOs are not showing enough initiatives to make public their information. Though many organizations have their own websites they are not posting all information there and in many cases they do not update their websites. Organizations do not publish their annual report timely. Since organizations do not use modern technology in preserving information, they face difficulties to serve quality service.
- Unwillingness and Weakness in RTI Act Practice: RTI Act practice is a symbol of civilized society. If anyone applies to any office for information following the correct format, office will provide information or inform them in case of inability. In spite of this, many organizations show indifference to receive application. There is no example of notice in the case of failure to provide information. Beside this people demanding information show disinterest to pay the cost of information. Since we have observed a culture of confidentiality for a long time, we are showing apathy to apply this act.
- Lack of Interest among Media Persons to Follow RTI Act: Though media persons show a lot of interest to RTI Act, they are not aware to follow this Act when they are collecting information from other organizations. They require instant information and do not pay for it. As a result “Designated Officer” falls in dilemma and it creates embarrassing situation between designated person and others.
- Inadequate Preservation System: Offices do not have adequate information preservation system. As a result, much information has become destroyed. In most cases the information are preserved haphazardly. So it takes more time to find out the required information.
- Dependency of “Designated Officer” on the Higher Authority: According to RTI Act “Designated Officer” is independent to provide required information without any influence from higher authority. But because of administrative practice, they ask to higher authority which results delay in providing service.
- Lack of Logistic Support at “Designated Officer” Office: As a result of lacking of modern technological support at “Designated Officer” Office, speedy information providing procedure faces obstacle. Most of the office do not have photocopy machine

and official papers are photocopied from shop, which violates secrecy and also safety. Most of the offices do not have computer, printer, scanner and internet and this creates hindrance in information providing process.

## **5.5 Synthesized Recommendation and Reformation Proposals from Information Commission:**

1. Mass media play a vital role to make people aware about their right to know information. Print and electronic media can take more initiative and action to create necessity among grass root people on Right to Information Act.
2. Right to Information Act, 2009 and Information & Communication Technology Act is very much interlinked with each other. These two acts are the catalyst for fulfilling the financial and basic mental need of citizens using digital and modern technology. Coordination between these two acts is an emergency to create e-governance through e-development. All these initiatives will ensure peoples' participation in government decision making process through an effective practice of RTI Act, 2009.
3. Anti-Corruption Act and Right to Information Act can work reciprocally for the institutionalization of democracy, introducing good governance, leadership for preventing corruption, transparency in administrative organ, empowering people in Bangladesh.
4. Bringing necessary rectification in contradictory acts (Official Secrets Act, 1923) with RTI and making RTI Act easy and appropriate to use and apply.
5. Vast publicity works about RTI Act: The main reason behind lack of proper implementation of RTI Act is that still mass people and authority who will implement the act are not fully knowledgeable about this act. To inform all, enormous publicity works through print and electronic media should be taken into action. In this regard, popular theatre, music, advertisement, talk show may be very effective. Beside this arranging rally and seminar during Right to Information Day observation at upazilla and district level will aware people. If possible, people can receive direct practice and training on right to information through arranging Right to Information Fair. It is necessary to arrange Information Commission mass awareness seminar at upazilla level. The training received by "Designated Officer" is not enough. It is urgent to take a vast training initiative to train up more than 10,000 "Designated Officer" working at different offices. Right to Information related training module should be incorporated in different training academy. Journalists should receive training and more information about this act.
6. Speedy recruitment of "Designated Officer": After two years of enforcement of RTI Act, absence of enough "Designated Officer" is similar to negligence to law and also its violation. So, legal actions should be taken against those who have not still appointed "Designated Officer" in their offices.
7. Enforcement of Self-motivated Information Promotion: According to Right to Information Act and Right to Information regulation, all offices will take necessary actions to ensure self-motivated information promotion activity. All ministries and offices under these will work to make public their information.
8. Eliminating RTI Act Limitations: Elimination of weaknesses and limitations of RTI Act through rectification. There are some sectors of this act where it

should be rectified, these are squeezing the timeline for getting information, clear-cut explanation on appellate authority recruitment, reducing failure list, incorporation of government granted and subsidy received organizations under RTI Act, amplification of the field of this act, increasing commission's power to impose fine.

9. Increasing Connection with Information Technology: The present Government has achieved immense success in the area of information technology which can be used in the sector of right to information. Through incorporating information technology service centers in different peripheral area with Information Commission, right to information services can be provided to people. Inclusion of Right to Information Act in all government websites and preservation of all information in central server can provide proper service to people.

## **5.6 Conclusion:**

Right to Information Act is an act of public benefit. Right to Information is related to peoples' basic right to speak out and express their opinion, in which sense it is a political right also. Right to Information Act is an effective tool to establish Government and Non-Government offices' accountability to mass people, establishing good governance through bringing transparency and preventing corruption in all sectors. Right to information is very important for the institutionalization of democracy and establishing human rights. Enforcement of Right to Information Act and establishment of Information Commission expresses the promise to establish democracy, human rights and good governance in Bangladesh.

Though it has passed two years of its establishment and has met peoples' demand, Information Commission has not been succeed to express itself a strong entity of administration. Though mass people are showing interest on information and government and non-government officials are aware about peoples' right to information, Bangladesh has not moved forward at a remarkable level still. Especially in the case of publication of self-motivated information, Bangladesh has not reached at expected level. Still mass people have not gained a clear idea and strategy about how to utilize right to information in their personal, social, administrative and political sphere.

In spite of government's sincerity, limitations of some law in RTI Act, limited publicity work, lacking of training, ignorance of most people, absence of advice and inspiring activity, limited manpower and activity of Information Commission are identified as the obstacle to the successful implementation of RTI Act. Overcoming these obstacles, to reach the ultimate goal of RTI Act, not only Information Commission but also other NGOs, print and electronic media, civil society, and political leaders will have to work side by side. It can be expected that, with the reciprocal participation of all it will be possible to meet up peoples' expectation to get information.

**CHAPTER-6**  
**QUESTION-ANSWER ON RIGHT TO INFORMATION**

Chapter 5

**6.1 Information Commissioner Secretary (Rtd.) M. A Taher**

**District-Noakhali**  
**Date: 19/06/2011 & 20/06/2011**

**1. Question: If “designated officer” does not provide requested information according to RTI Act, where will have to apply first for legal support?**

Answer: If anyone does not get the requested information applied in the prescribed format according to RTI Act, within the time specified in sub-section (1), (2) and (4) of section 9 or is aggrieved by a decision of the officer-in-charge may, within 30 days from the expiry of such period or, as the case may be, from the receipt of such decision, prefer an appeal to appellate authority.

**2. Question: Who will provide services in the case of transfer of “designated officer”?**

Answer: In the case of transfer, respective office will recruit new “designated officer”. In the meantime, an alternative person will take care of the work.

**3. Question: Is there any provision to know the budget of an office (in which purpose how much money is allocated/spent)?**

Answer: When the budget of a fiscal year is put into effect from parliament, any kind of information related to the granted budget can be delivered.

**4. What does the direction “use more paper if need” mean in the 2no. point of the ‘Application form- A’ of requesting information?**

Answer: If the list of requested information is very vast and detail, the second column may not be enough, in this case additional papers can be used.

**5. Question: In rape cases, victim files case against the accused person. In that case, media collect the information and publish it. What is the way to avoid media?**

Answer: According to RTI Act, section 7 (h), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual. But, for justice/order from the court/if victim permits, information can be published.

**6. Question: There is provision of punishment against “designated officer” in the case of irresponsibility to obey the duty. Is there any system of appreciation/reward for high performance?**

Answer: There is no provision like that in the present act. But system of reward/rebuke depending on the more sincerity and carefulness of “designated officer” is under consideration of Information Commission.

**7. In the case of photocopy, how the expenditure is counted/paid?**

Answer: For determining the price under sub-section (6), the price shall not exceed the actual expense of providing information such as cost of printing electronic format or photocopying or print-out.

**8. Question: Is there any provision to give one's information to another person? For example, a young lady looked for another young boy's passport detail to restrain him at airport. Her logic was she loved the boy but now he is leaving her and going abroad receiving a scholarship.**

Answer: According to RTI Act, Section 7 (h) and (i), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual and endanger the life or physical safety of any person. But, for justice/order from the court/if victim permits, information can be published.

**9. Question: In an office, instead of having more than one post, there is only one officer. In this case, is there provision to recruit a senior staff in this position?**

Answer: On temporary basis, a senior staff can be appointed as "designated officer" but whenever a new "designated officer" will be recruited he/she will take the responsibility.

**10. Question: If anyone applies through court fee, how office will bear the cost spent for photocopy/computer print?**

Answer: A fixed amount can be proposed in annual budget for the implementation of RTI Act; on the other hand, this expenditure can be met up from incidental expenditure.

**11. Question: In spite of having no relevance, can any applicant get the requested information?**

Answer: In spite of having no relevance, anyone can apply for any kind of information; off course in that case regulation described in section 7 of RTI Act will be applicable.

**12. Question: During hearing at Information Commission, is there any provision to hear speech from "designated officer"?**

Answer: During hearing, saying from the accuser, designated officer, appellate authority and the third party (if any) involved with the accusation will be heard.

**13. Question: Can the price for the received information be paid through Treasury Chalan?**

Answer: There is no provision of Treasury Chalan in the RTI Act 2009.

**14. Question: Why there is no involvement of public leaders/representatives in RTI Act?**

Answer: Public leaders/representatives are elected by mass people and they are the law maker. Government officers and staffs implement according to law. Public leaders/representatives are not involved here to ensure transparency, accountability and neutrality.

**15. Question: In the Section (2), RTI Act, "information providing unit" is mentioned referring upazilla as the smallest unit. Where there are "information providing unit" smaller than upazilla such as revenue collector office (*tahsil* office), will it be an "information providing unit".**

## Information Commission of Bangladesh

Answer: Though according to RTI Act, Upazilla is the smallest “information providing unit”, Union Parishad/tahsil office is bound to give information if the application is in the prescribed format to Upazilla Office.

### **16. Question: For the request for information/appeal, is an application in the prescribed format enough?**

Answer: After the introduction of Right to Information Regulation 2009, the request for information under section (1) shall be made in a form printed by the authority, or as the case may be, in prescribed format.

### **17. Question: If anyone applies through court fee for information (50 pages), how the price spent for photocopy will be paid instantly?**

Answer: Fixed budget for “designated officer”/budget for incidental expenditure can be spent for this purpose.

### **18. Question: If anyone asked through mobile phone to know as a journalist how many tenders are sold and how many are dropped, is it permitted to give him/her the information?**

Answer: There is no provision to provide information through mobile phone in RTI Act 2009.

**BARD, Comilla**

**Date: 23/05/2011**

### **1. Question: Will the newly inaugurated websites in Union Parishad help to implement RTI Act? How general people will be benefited from these?**

Answer: These new websites must be helpful for the implementation of RTI Act. If anyone applies in prescribed format, “designated officer” is compelled to provide information.

### **2. Question: Is it permitted to provide to the journalists any information, which can be embarrassing for Government?**

Answer: According to the condition described in section 7 of RTI Act and if there is no special restriction, information can be provided against application.

### **3. Question: Government is not cordial to return back OSD officers since they were recruited during another Government regime. In this case, what role can Information Commission play?**

Answer: In this case, Information Commission has nothing to do. If anyone wants to know information about this, in prescribed format he/she can apply to “designated officer”, Ministry of Public Administration.

### **4. General people know nothing about the agreements signed between India and Bangladesh Government. Will Government disclose these to people and are these in favor of Bangladesh? Is there possibility from BNP Government to reject these?**

Answer: To know about these, application in prescribed format can be submitted to respective ministry.

**5. Question: Is there any provision from Information Commission to take action against newspapers if they publish any news based on their assumption?**

Answer: Information Commission does not have any thing to do here, but accusation can be submitted to Press Council.

**6. Question: What is the basic difference between Ministry of Information and Information Commission?**

Answer: Ministry of Information provides secretarial support and Information Commission works for the implementation of Right to Information Act 2009.

**7. Question: Why Government does not disclose agreements with different countries?**

Answer: Clauses in different agreements which are not under section 7 of RTI Act can be disclosed.

**8. Question: Is there any plan to observe Right to Information Day through rally, seminar?**

Answer: International Right to Information Day is observed in each year on the 28<sup>th</sup> September.

**13. Question: Since most of the ministries and parliament members are elected by mass people, will they express information about Government actions/activities to people?**

Answer: They can express information to people if they wish.

**14. Question: What is the position of Government in regard to information dissemination?**

Answer: Government is very hearty to ensure free flow of information. To reach this goal Government has approved RTI Act giving the highest priority.

**15. Question: Is there any provision for general people to know the income-expenditure of our political parties?**

Answer: Surely they can, but to know this information they will have to apply in the prescribed format according to RTI Act 2009.

**16. Question: Can anyone know my personal information from office?**

Answer: Without permission, there is no provision to disclose personal information.

**17. Question: Is it ethical to provide if anyone demands patients' information?**

Answer: In this case, if patient permits then the information can be given.

**BARD, Comilla  
Date: 23/10/2011**

**1. Question: Will different Ministries/Departmental head circulate letters/circulars to their subjugated offices?**

Answer: Different Ministries/Departmental head have already circulated letters/circulars to their subjugated offices to implement RTI Act.

**2. Question: Can Information Commission penalize/take action against journalists for yellow journalism?**

Answer: Information Commission can not take any action but suffered person can charge to Press Council.

**3. Question: Can any subjugated staff can be the “designated officer” of that office?**

Answer: Those offices, where there are only two persons, the staff can be appointed as “designated officer”.

**4. Question: How a general people will get information from secretariat where he/she does not have access there without the permission of a Deputy-Secretary.**

Answer: In this case, information can be required through post/e-mail.

**Questions-Answers**

**6.2 Prof. Dr. Sadeka Halim**

**Bangladesh Social and Economic Forum 2011**

**Questions obtained from the seminar jointly organized by Dhaka Schools of Economics and Bangladesh Economic Society**

A seminar titled ‘Role of the Right to Information (RTI) in Establishing Transparency and Fighting Corruption in Society’ was held in Bangabandhu International Conference Center in April 24-28 with the joint initiative of Dhaka Schools of Economics and Bangladesh Economic Society. Prof. Dr. Sadeka Halim, the honorable Information Commissioner, presented the key note paper in the seminar presided over by Mr. Golam Rahaman, the Chairman of the Anti-Corruption Commission. Besides, the former Chief Justice M. Tafazzal Islam and the Country Director of Article 19 Ms Tahmina Rahman participated in the seminar as the chief guest and the fixed discussant respectively. Around 550 representatives from different organizations and institutions were present in the seminar. Among these representatives there were the officials of various government and non-government bodies, journalists, teachers and the eminent civil society members. Before concluding the seminar, the honorable Information Commissioner gave answers to some important queries relating to the Right to Information Act and the Information Commission raised by the participants. These are as follows:

**1. Question: Why is there a lack of coordination between the Information Commission and other institutions?**

**Answer:** The present government enacted the Right to Information (RTI) Act 2009 in order to ensure good governance through establishing transparency and accountability in the activities carried out by different government, autonomous and statutory bodies as well as NGOs with the aim of empowering the people, the proprietors of the sovereignty of the Republic. The Information Commission has been maintaining coordination with other institutions with a view to successfully implementing the RTI Act. It provides assistance to other institutions by ensuring free flow of information. In fact, people are the proprietors of information. Therefore, a close coordination does exist between the Information Commission and other institutions.

**2. Question: What is the difference between Anti-Corruption Commission and Information Commission? Is there any functional linkage between them?**

**Answer:** Both the Anti-Corruption Commission and the Information Commission are the independent commissions of the government; however the scope of their activities varies. There is a mutual relationship between them. The coordination between these two will help to remove any misleading information that the people might have about the government activities. Consequently, this will lead to the gradual decline of corruption from the society and the state. The RTI Act will help establish accountability and transparency among all the officials and staff in discharging their respective duties.

**3. Question: How can the Anti-Corruption Commission facilitate the activities of the Information Commission?**

**Answer:** The Anti-Corruption Commission, in close contact with the Information Commission, can ensure the free flow of information or the people's accessibility to information in its attempts to increase the accountability and transparency, curbing corruption and establish good governance. It is imperative to ensure the free flow of information first if the transparency and accountability of the government is to be ensured. Similarly, the Information Commission also can play substantial role in the fight against corruption.

**4. Question: What is actually meant by RTI and how can it be practiced properly?**

**Answer:** The Right to Information Act 2009 is an outcome of a long-standing process. There is no denying the fact that ensuring people's accessibility to information is extremely important for consolidating the democratic system of a country. Through utilizing the RTI Act, any citizen of Bangladesh can seek information by submitting application to any public, private, autonomous and semi-government institutions. The demand for an RTI Act started being voiced by the civil society of Bangladesh following the recommendation of Press Commission for an RTI Act in 1983 and subsequently the working paper of the Law Commission in 2003. The proper implementation of this Act can be made possible through the spontaneous participation of the people from all walks of life.

**5. Question: Is there any coincidence between the sections of RTI Act of Bangladesh and those of the Commissions of the developed world?**

**Answer:** Several sections of the RTI Act 2009 resemble those of the developed nations' commissions. For instance, significant similarity can be found between the RTI Act of India and that of Bangladesh.

**6. Question: Do the defense organizations fall within the purview of RTI?**

**Answer:** The defense organizations are yet to be brought under the purview of RTI. However, the subsection (1) of the section 32 (2) states: These organizations are bound to provide ‘Information pertaining to corruption and violation of human rights’.

**7. Question: What is the relation of the Information Commission with the Human Rights Commission?**

**Answer:** People have the right to know information. Due to lack of information, many people are being subject to human rights violation under different circumstances. Therefore, ensuring both human rights and the right to information entails a working relationship between the Human Rights Commission and the Information Commission.

**8. Question: What is Standard Operating Procedure? Is it true that it makes it easier to seek information?**

**Answer:** The book on Right to Information Act 2009 contains detailed description of application for accessing information; notice issued showing inability to provide information, appeal application, the request fee for seeking information and the fee for determining the value of information. One should apply for information after learning the RTI Act 2009 in its entirety.

**9. Question: Isn't it possible to further strengthen the Information Commission?**

**Answer:** In the RTI Act 2009, the Information Commission has been entrusted with the power to function as a quasi judicial body (section 13). The commission is dependent on the Ministry of Finance, Ministry of Public Administration and the Ministry of Information for its budget and other administrative activities. This dependency must be reduced so as to make the Commission operate independently and neutrally.

**10. Question: Are the independent commissions of Bangladesh independent at all?**

**Answer:** Whether the independent commissions of Bangladesh can exercise independence at all is a relative matter. Nevertheless, the independence of the independent commissions in the developing countries like Bangladesh should be examined in the context of reality.

**Questions Obtained from Sylhet, Habigonj and Sunamgonj**

The honorable Chief Information Commissioner (CIC) Ambassador (Rtd.) Muhammad Zamir and Information Commissioner Prof. Dr. Sadeka Halim attended a seminar on RTI Act 2009 held in the District Conference Room of Sylhet in April 20, 2011. The seminar was inaugurated by the (CIC) who was also the Chief Guest. The awareness program was attended by the officials of various public and private organizations, journalists, teachers, lawyers, Upazila Chairpersons and vice Chairpersons (particularly

the female members) and the dignitaries of the civil society. The Divisional Commissioner of Sylhet Mr. N. M. Ziaul Alam presided over the seminar. Besides, Information Commissioner Prof. Dr. Sadeka Halim, District Commissioner Mr. Abu Syad Mohammad Hashim, Superintendent of Police Mr. Sakhawat Hossain, among others, attended as special guests.

In the second session, 450 designated officials (DOs) from various organizations and institutions of Sylhet, Habigonj, Sunamgonj and Moulovibazar were present. Information Commissioner Dr. Sadeka Halim gave training to the officers-in-charge coming from the aforesaid districts. She elaborated on the background of RTI Act, the activities of the authority, role of the Commission, rules and procedure related to seeking information, appointment of the officers-in-charge together with their responsibilities, appeal regarding the application for information, accusations and so on. Afterwards, she answered different types of questions put forward by the DOs. These are as follows:

**1. Question: Who belong/s to the appellate authority in the Union Council?**

**Answer:** When an application is submitted to the Chairman of the Union Council, the Secretary provides the necessary information applied for; because it is the Secretary who oversees everything in the Union Council. He is well aware of all the activities. In this case the Chairman is the appellate authority.

**2. Question: Who will be the appellate authority if one is denied information from the Upazila Council? Is there any guideline of the Information Commission to this end?**

**Answer:** The Upazila Chairman will be the appellate authority in this context.

**3. Question: What can the Information Commission do when the information provided is proven incorrect?**

**Answer:** If the information is proven wrong, an application will have to be submitted again to the appellate authority mentioning precisely the subject of information. According to the section (e) of RTI Act, the commission shall take necessary action if someone lodges any complaint accusing of intentionally providing wrong information.

**4. Question: Are there any rewards for the officers-in-charge?**

**Answer:** There are no such rewards from the Commission; however the Commission is considering giving rewards to the sincere and active officers.

**5. Question: How to pay the charge for accessing information to the public sector?**

**Answer:** As per Form (D) of Rule 8 under the RTI (concerning accessing information) rules 2009,

- a) When providing any written document, TK. 2 will be charged for every single page of size A-4 or A-3. Pages greater than this involve actual value.
- b) Free of cost when providing information to someone as per the government rule.

**6. Question: How to access digitalized information?**

**Answer:** Efforts are on to digitalize every sector of the government of Bangladesh. Further steps should be undertaken to provide information through digital means in every possible sector.

**7. Question: What can be done about tender if anybody seeks information?**

**Answer:** As per article 7 (3), it is not mandatory to provide information concerning tender or prior to taking any decision about tender.

**8. Question: Shall a newly posted officer provide information of his previous office?**

**Answer:** A newly posted officer is not legally bound to provide information pertaining to his previous office. However, he can help the officer that has replaced him in his former workplace.

**9. Question: Are the applicant and the recipient of information the same individual?**

**Answer:** The applicant and the recipient of information indicate the same person.

**10. Question: The functional scope of the institution of ‘social welfare’ is quite large. In this case, can it be considered to recruit two officers-in-charge?**

**Answer:** Though the scope of activities of the ‘social welfare’ institution is extensive, there is no provision of appointing two officers-in-charge against the existing provision of appointing a single one. However, the Information Commission has directed each institution to recruit an alternative officer-in-charge.

**11. Question: What is the direction of the Commission regarding privacy?**

**Answer:** According to the section 7 (h) & (i), it is not mandatory to provide any secret information of a person.

**12. Question: What would be the source of fund for photocopying?**

**Answer:** As per Form (D) of Rule 8 under the RTI (concerning accessing information) rules 2009,

- i) When providing any written document, TK. 2 will be charged for every single page of size A-4 or A-3. Pages greater than this shall involve actual value.

- ii) In case of providing disc, CD, etc. – a) free of charge when the applicant himself or herself provides disc, CD, etc. b) the actual value of the CD or disc will apply when it is provided by the information providing unit.
- iii) Free of cost when proving information to someone as per the government rule.
- iv) The fixed price will apply when selling any publication that has an exchange value.

**13. Question: What role does the Information Commission play with regard to the small organizations?**

**Answer:** Any organization or institution run by government or foreign financing, as stated under section 2 (b) of the RTI Act 2009, shall be obliged to provide information when asked for in due procedure. If it does not comply with the request for information, the Information Commission will take necessary measure.

**14. Question: What is your opinion about being more lenient on the officers-in-charge rather than issuing (legal) threat to them insofar as the case of penalization is concerned?**

**Answer:** The RTI Act 2009 provides for departmental punishment and fine of the officers-in-charge. However, instead of intimidating, the Commission is always lenient on them as it is still going through trial and error. In this situation, the officer-in-charge is advised to provide information being well-aware of the laws.

**15. Question: What about arranging seminars to raise awareness among the journalists of both print and electronic media about the RTI Act?**

**Answer:** The journalists involved in print and electronic media have great role to play in respect of implementing the RTI Act 2009. The wide circulations of their media reports can effectively make the mass people aware of the RTI Act as well as unfold its practical aspects. The Information Commission, at various points of time, has arranged opinion exchange programs with the media reporters and journalists. The Commission held a series of talks about the implementation of RTI Act and sought opinions from the representatives of print media on October 11, 2011 and from those of the electronic media on October 14, 2011. In addition, it shared the views and opinions of various international organizations such as the WB (World Bank), ADB (Asian Development Bank), UNDP (United Nations Development Program), EU (European Union) as well as the ambassadors and High Commissioners of different countries. Among the NGOs, both domestic and foreign, the Commission held opinion exchange meetings with Manusher Jonno Foundation, MRDI, Research Initiatives Bangladesh, Nagorik Udyog, Article-XIX, BRAC and Nijera Kori. These sorts of programs are still being carried on by the Information Commission.

**16. Question: What is to be done if one is denied to get information by the head of an office?**

**Answer:** If the head of an office refuses to provide information, the next option is to apply to the appellate authority. The Commission will subsequently take necessary step.

### Questions obtained from the District of Jamalpur

**1. Question: Does the Information Commission have any role to play for those who are more concerned with information (i.e., the journalists) than others?**

**Answer:** The Information Commission is trying relentlessly to create a free flow of information. It is the journalists who delve into information more than all others. So, the applications coming from the journalists are given priority by the Information Commission. The Commission expects the journalists to exercise the RTI Act properly and play an objective role in this respect.

**2. Question: Why is there no clear mention of the journalists in the RTI Act 2009?**

**Answer:** Actually the RTI Act is equally applicable for all. There is no section in this Act dealing particularly with the accessibility of information by the journalists. However, a proposal for reformation on behalf of the journalists can be a welcome development. Whatever the case may be, the Commission puts relatively high emphasis on the cases related to the journalists.

**3. Question: How many pieces of information can be sought at a time by a person?**

**Answer:** A person can seek more than one piece of information at a time if s/he complies with the procedure of making request for information by using the RTI format.

**4. Question: How to resort to the Information Commission when failing to get information after application/complaint?**

**Answer:** When an application submitted through the RTI format becomes a failure, a formal complaint can be lodged with the Information Commission. Sections 9, 13, 24 and 26 of the RTI Act 2009 clearly states the procedure related to providing information, appeal and complaint. Details can be learnt through the website of the Commission. The interested persons can also coordinate with the Commission through telephone, internet, e-mail and Skype.

**5. Question: Is there any possibility of setting up regional offices of the Information Commission at the Upazila level?**

**Answer:** The RTI Act 2009 is relatively new, so is the Information Commission which is an autonomous institution. There is a provision for establishing Regional Offices in the RTI Act. However, this proposal can be taken into account in future reformation of the RTI Act. The Upazila Information Offices performed their activities at Upazilas under the control of and through proper coordination with the Information Commission.

**6. Question: How can the deprived people be helped by the RTI Act at the Upazila level?**

**Answer:** The RTI Act is equally applicable for all segments of the people of Bangladesh irrespective of caste, creed or religion. The deprived people must be made conscious of this Act. Anyone can be sure of getting information if application is submitted in accordance with the existing rules and regulations. Now-a-days a lot of indigenous, poor and deprived people are accessing their desired information with the help of the Information Commission. The Commission always remains vigilant in this regard.

**7. Question: Is there any data base of the officers-in-charge?**

**Answer:** The name, address and designation of the officers-in-charge are entered properly in the Web Portal of the Information Commission.

**8. Question: What can the concerned authority do when the officer-in-charge is transferred?**

**Answer:** An alternative officer-in-charge must be in place as soon as the assigned officer-in-charge is transferred. The Information Commission is directing all the authorities concerned to recruit an alternative officer-in-charge when they send the list of the officers-in-charge. However, there is no provision for appointing any alternative officer-in-charge in the Act.

**9. Question: Does the Commission have any plan to bring the Judge Court, one of the main units of Bangladesh judicial system, under the RTI Act?**

**Answer:** The Judge Court is not within the purview of the Information Commission. However, the Commission is considering with due importance to bring it under the RTI Act.

**10. Question: The maximum limit of fine, as stated in the RTI Act, is TK.5000; but what is the maximum limit of fine that dismisses a government employee from his/her job?**

**Answer:** A government service holder will lose his/her service once s/he is fined maximum TK.2000.

**11. Question: How to ensure the maximum utilization of the information offices located at district level?**

**Answer:** The Information Commission has already made contact with the entire district information offices. The Commission is working tirelessly to bring about coordination between the Commission and the district information offices.

**12. Question: What can be done if the officer-in-charge refuses to accept the application for information?**

**Answer:** When the concerned officer-in-charge refuses to accept it, just go to the appellate authority as is the rule. The Information Commission will later take the necessary step. The sections 24 and 25 of the RTI Act 2009 provide details of the disposal of appeal, making of complaint, disposal, etc.

### **Questions obtained from the Districts of Rangamati and Khagrachhari**

Information Commissioner Prof. Dr. Sadeka Halim took part in an opinion sharing and mass awareness seminar on the RTI Act 2009 organized by the Rangamati based local NGO PAHRA in the District Council Auditorium on June 19, 2011. The seminar was presided over by Mr. Nikhil Chakma, the Chairman of the Rangamati District Council. The special guests of the seminar were the district judge of Rangamati Mr. Sushanto Kumar Sinha, the UNO of Rangamati Sadar Nazia Shirin, the executive director of PAHRA Mr. Abbas Uddin Choudhury and many others. Prof. Dr. Sadeka Halim , being the chief guest, elaborated on the RTI Act 2009. She was also the chief guest in the seminar held in the Cultural Institute of the small ethnic communities of Khagrachhari on June 20, 2011. In the seminar she informed the people of the RTI Act 2009 and enunciated the procedures of applying for information, recruitment of the designated officers and their responsibilities, the application form for getting information, appeal and so on. In addition, the Honorable Information Commissioner also spoke on the various rights and privileges of the small ethnic communities.

#### **1. Question: Receiving information under the RTI Act requires one to wait for long. How could this procrastination be minimized?**

**Answer:** The Section 9 of the RTI Act 2009 requires that the designated officer provide the applicant with the requested information within 20 (twenty) working days from the date of receiving the request. However, if more than one unit is involved with the information sought for, such information can be provided within 30 (thirty) working days. If the officer-in-charge fails to provide the requested information due to any reason, s/he shall inform the applicant of it within ten working days.

We have received the request for minimizing the working days several times in different mass sensitizing and opinion exchange programs. The Commission is actively considering this matter. The 2010 Annual Report of the Information Commission recommends reducing the time limit as described in sub-sections 9 (1), 9 (2), and 9 (3) to seven days on the ground that the requestor might experience procrastination as the deadline of providing information prescribed in the RTI Act 2009 is considerably long.

#### **2. Question: Information is accessible if it is stored as far as the Upazila level, but how to access it from the Pourashabha?**

**Answer:** Anybody can receive information from the Pourashabha by applying to its secretary. The secretary is well aware of every unit of the Pourashabha.

**3. Question: What is the necessity of Appellate Authority?**

**Answer:** Appellate Authority must have clear idea about RTI Act. Without this Designated Officer will not successfully complete his/her duty. Information providing duty of an organization is upon that organization. So, if a person fails to get help from Designated Officer and Appellate Authority also, finally will complaint to Information Commission. In some case there is provision to complaint directly to Information Commission.

**4. Question: Government officers are not clearly informed about Section 7 of the Act. Is there any plan to appoint a representative at District/Upazilla level?**

**Answer:** Section 7 of RTI Act is very important. So, all GO and NGO officers will have to know this section. Except information under this Section, all other information will have to provide without any delay. There is a plan to establish regional office in different places. Till now, we have not taken initiative to appoint any representative at District/Upazilla level. Designated persons are receiving training on RTI Act from Information Commission and other training institution.

**5. Question: How we can get information about the peace activity in hill tracts?**

**Answer:** This information can be received from Ministry of .....RTI Act can be used for this purpose.

**6. Question: Is it possible to bring any reformation in this act to make a easy way for the journalists?**

**Answer:** Actually the journalists at first demanded this act in 1983. RTI Act 2009 is equally applicable for all. Journalists can make proper use of RTI Act 2009 in investigative journalism. Journalists are using this act. They can submit relevant reformulation proposals.

**7. Question: People those are under poverty line are bound to pay the bill for information?**

**Answer:** No, they will not have to provide the bill.

**8. Question: There are a number of authorities in Chittagong Hill Tracts such as Regional Council, District Parishad, Deputy Commissioner and Circle Chief. Who are the administrative head among them?**

**Answer:** In Bangladesh we see practice of plural authority, Hill Tracts districts are the example of this kind. Through decentralization administrative authority solve different types of problem. Administrative authority of hill tracts area can ensure their transparency and accountability through practicing RTI Act 2009.

**Questions obtained from the Districts of Rajshahi  
Date: 28/06/2011**

## Information Commission of Bangladesh

Information Commissioner Prof. Dr. Sadeka Halim took part as the Key Note Speaker in an opinion sharing and mass awareness seminar on the RTI Act 2009 organized by Inter Co-operation in 28<sup>th</sup> June, 2011. She presented a very lively description on skill of Information Commission, fine imposed on “designated officers”, application form, appeal application, outline of “designated officer” recruitment. Side by side she gave her expert answer against question from the participants.

**1. Question: Commission has any plan to introduce Bangla SMS device?**

**Answer:** At present Information Commission is sending Bangla text in English word through collaboration with Grameenphone and Robi Axiata. But Bangla SMS Texing technology is not introduced in Bangladesh still. We have the plan to do so in future.

**2. Question: It is very important to inform all people about their right to information. So, can we provide training on RTI Act during Cadre training?**

**Answer:** Right to Information Act is a remarkable initiative of present Government. There is no alternative of RTI Act to ensure transparency and accountability. So, in every cadre training institute, workshop on right to information is continuing.

**3. Question: In Bangladesh, only the postal service works in the most peripheral area. Can Information Commission use post office to exercise Right to Information Act?**

**Answer:** It is a nice proposal. Information Commission has a vast and long plan to expand right to information utilizing post offices.

**4. Question: What is the duty of “designated officers”, if media demands information?**

**Answer:** Both parties will have to have a clear idea about RTI Act 2009. Through proper implementation of RTI Act, information can be received. Everybody will have to be aware to mainstreaming the RTI Act. Administrative officers will have to change their mindset dominated by the culture of secrecy when they will provide information following RTI Act regulations.

**5. Question: Is it possible to establish right to information as a basic right?**

**Answer:** Constitutional recognition of RTI is very important. In Nepal, strong recommendation is raised in their constitution to give recognition on RTI Act. Papers on RTI Act have been submitted to Ministry of Education to incorporate it in school and college text books. Right to Information is an important way to ensure free flow of information at all levels. So, the highest authorities in Government are aware about this. In Article 39 of Bangladesh Constitution, thought, conscience and freedom of speech are considered as basic right. Right to Information is also considered as basic right as an integral part of these.

**6. Question: How we can use RTI Act in women torturing?**

**Answer:** Mass people can use RTI Act in this field also. Through this act we can know the reasons behind Mili murder case in Rajshahi and many other such incidences.

**Savar**

**Program with Small Ethnic Communities arranged by Kapeeng Foundation**

**1. Question: Why are the multinational companies not incorporated under RTI Act?**

**Answer:** Multinational companies are run by their own money, so they are excluded from RTI Act 2009 according to Government decision. Of course we have a proposal to incorporate these companies when the RTI Act will be reformulated again.

**2. Question: Can we know information about the past activities/record of the Government officials who have got punishment posting to hill tracts?**

**Answer:** Yes, you can get his/her professional information but not the personal information. Because, According to RTI Act, section 7 (h), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual.

**3. Question: How we can get information about the financial allocation from Prime Minister's Office for the small ethnic communities of the plain area?**

**Answer:** It can be got from the Special Affairs Division. Allocation for individual district can be known from Deputy Commissioner's Office.

**4. Question: How can we get information about the financial allocation for Monipur Arts Academy (Kamolganj, Moulvibazar)?**

**Answer:** You will have to apply in prescribed format to "designated officer", Monipur Arts Academy. In case of failure, then apply to appellate authority (Rules 24). If, appellate authority fails to provide solution, then final application will be to Information Commission (Section 25).

**5. Question: Which level of information, "designated officer" is allowed to provide?**

**Answer:** Authority is compelled to provide any kind of information except information under section 7 of RTI Act 2009.

**6. Question: In which way RTI Act is related/linked to Official Secrets Act, 1923?**

**Answer:** According to Section 3, RTI Act 2009,

- a) Rules described in this Act will never violate the information giving rules of any other Act
- b) If the rules related to the restrictions on information dissemination contradict to the rules described in this Act, rules of RTI Act will get preference.

According to Rule 5 of Official Secrets Act 1923, Government officials can not provide information. But according to RTI Act, if anyone applies following prescribed format, designated officer is bound to provide that information. So, some rules of Official Secrets Act 1923 need to be rectified. In India, these rules have already been rejected. Honourable Law Minister of Bangladesh has expressed his interest to take necessary steps to reformulate those rules conflicting to RTI Act. Implementation of RTI Act will be possible with the cordial help of law enforcement organizations, police, RAB and media.

**BNNRC (Bangladesh NGOs Network for Radio and Communication)  
IDB Bhaban, Agargaon, Dhaka-1207**

**1. Question: Is it possible to decentralize Information Commission?**

**Answer:** RTI Act is introduced to make bondage between Government and mass people. Decentralization is mentioned in the sub-section (3), section 11 of RTI Act 2009. The main office of Information Commission will be located at Dhaka and Commission can establish its' regional office. Government can decentralize Information Commission.

**2. Question: What is Information Commission's view about the periphery/grass root people to get information?**

**Answer:** RTI Act is for all irrespective of age and sex. Information is peoples' right. We will have to inspire periphery/grass root people to require information. Rural people can get information from different cooperative society. As Corporate Social Responsibility, poor people can get support through poor trust fund.

**3. Question: Still we do not have designated officers in all GO and NGO offices. What initiatives Information Commission has taken?**

**Answer:** According to Sub-section (11), Section-10 of RTI Act 2009; within 60 (sixty) days of commencement of this Act, all authorities existing prior to such commencement shall appoint a designated officer for each of the units for providing information according to the provisions of this Act. There are more clarifications on this in the sub-sections 2, 3, 4, 5, 6. Information Commission has sent letter to all GO and NGO institutions to appoint designated officer. Beside this Commission has taken many awareness and inspiration activities. Fine is imposed on officers in the case of failure to provide required information. Individual institution will have to be aware.

## Information Commission of Bangladesh

Information Commission has given direction to appoint designated officer as well as his/her alternative.

### **4. Question: How general people will learn what information is?**

**Answer:** Definition of Information is given in Bengali in RTI Act. When educated people will start to use this act, general people will also know and realize the act.

### **Questions obtained from the Districts of Bogra**

#### **1. Question: Can anyone request to get tender related information?**

**Answer:** According to Section 7 (p) of RTI Act, any such information pertaining to a purchase process before it is complete or a decision has been taken about it, is not compulsory to disclose. After final decision, this information can be supplied and it will not violate PPA regulation.

#### **2. Question: If any required information seems to go against that person's higher authority, what is the role of Information Commission in such case?**

**Answer:** Every GO and NGO organizations will appoint designated officers. Everyone will have to leave their mindset of secrecy. Designated officer must give information. If the required information is very confidential related to his/her personal life, then designated officer will not give that information. According to RTI Act, Section 7 (h) and (i), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual and endanger the life or physical safety of any person.

#### **3. Question: Can anyone get help from Information Commission, if he/she wants to know the number of marriage registration of one year from Marriage Registrar's office? This information is important to get an idea about the number of early marriage.**

**Answer:** Mass people are the owner of information. Marriage Registrar office is an office under the Ministry of Law. There is a designated officer in Marriage Registrar office and Marriage Registrar will be the appellate authority. Following the prescribed format, information can be required. In the same way, information about child registration can be known from Union Parishad and Pourashava office.

#### **4. Question: Is it possible to know the reason behind the requested information?**

**Answer:** Mass people are the owner of information, it is their right. The applicant is not bound to inform the designated officer the reason.

**5. Question: If the applicant do not contact for long time, what should designated officer do?**

**Answer:** Designated officer will inform the applicant the price of the requested information. If the applicant does not pay the price, there is nothing to do.

**6. Question: If the appellate authority of relevant authority does not provide necessary help, what should be the next step?**

**Answer:** Designated officer is bound to provide information if anyone applies following the prescribed format. In the case of failure, the next step will be to apply to appellate authority. If appellate authority does not provide help, a person can lodge a complaint to Information Commission for any of the following reasons:

- If he gets no information under sub-section (1) of section 13;
- If he is aggrieved by the decision on his appeal under section 24;
- If he gets no information within the time-limit mentioned in section 24 or as the case may be, gets no decision about providing information.

**6.3 Secretary Nepal Chandra Sarker (Jhenidah & Natore District)**

**1. Question: Is there provision to know information about a person who is in safety custody?**

**Answer:** According to RTI Act 2009, Pre-section 9 (4), any information related to life and death, arrest and release from jail can be required. But According to RTI Act 2009, section 7 (f) and 7 (l), it is not compulsory to disclose, any such information that may, if disclose, obstruct the enforcement of law or incite any offence and any such information that may, if disclosed, impede the process of investigation.

**2. Question: Any information discloser about a patient can be harmful and also violation of privacy. In this case, is there any compulsion to disclose this?**

**Answer:** According to RTI Act, Section 7 (h), there is restriction to publish any such information that may, if disclosed, offend the privacy of the personal life of an individual. Of course, if that person permits there will not be any obligation.

**3. Question: Many times compliant suffers from economic and social lose for procrastination in the court. Is there provision to know the reason behind late?**

**Answer:** According to RTI Act, Section 7 (k), organization/“Designated Officer” is not compelled to discloser of any matter pending before any court of law and which has been expressly forbidden to be published by any court of or tribunal or the disclosure of which may constitute contempt of court.

**4. Question: Most of the times journalists does not follow the procedure of RTI Act to collect information instead they misbehave. In this case, is “designated officer” compelled to provide information?**

**Answer:** According to RTI Act 2009, everyone has to follow the application procedure and pay the price. If the information is preserved in the computer (not violating section 7), it can be sent via e-mail without demanding any cost.

**5. Question: If in an office there is only one officer, can any subjugated staff be appointed as “designated officer” of that office?**

**Answer:** According to RTI Act, section 2 (C), “officer” shall also include an employee. Authority can appoint the staff as “designated officer”. Off course in such case, authority will judge his/her capacity to play the role. On the other hand, the only officer will act as “designated officer”

**6. Question: If anyone requires information through e-mail/Fax and “designated officer” does not have electronic service, how information will be provided?**

**Answer:** According to RTI Act 2009, Section 7 if both parties have electronic support/services, then Information can be provided through this media.

**7. Who will take the duty if “designated officer” goes to receive any training?**

**Answer:** In every “information providing unit”, an alternative person will be recruited to play the role of “designated officer”.

**8. Is there any fixed timeframe to request for information?**

**Answer:** No, there is no time limit to request for information. Off course, in the case of examination, information can be provided after the publication of result.

**9. Question: Who will take the decision about the requested information is threatening for state or not?**

**Answer:** “Designated officer” will use his/her own judgment in this regard. There is provision of appeal to appellate authority and then accusation can be submitted to Information Commission. Information Commission will take necessary steps for the charge.

**10. Is there any provision to file case against an authority in RTI Act 2009?**

**Answer:** According to RTI Act 2009, section 29 no person shall, except preferring an appeal before an appellate authority or, as the case may be, lodging a complaint before the Information Commission under this Act, raise any question before any court for anything done or deemed to be done, any action taken or the legality of any order passed or any instruction made under this Act.

**11. Question: If the applicant does not come to receive the requested information?**

**Answer:** If the applicant does not pay the price, information will not be provided. But if he/she pays the price then any authorized person mentioned in the form as receiver can get the information.

**12. Question: From when the time limit for information supply will be counted, from the date of application or payment date?**

**Answer:** From the date of application.

**17. Question: Is there any necessity to post a stamp on the application?**

**Answer:** No, still now no fee for application is required but for the requested information (if received) the fixed price will have to be paid.

**18. Question: Is there any provision to spend the realized price from the supplied information?**

**Answer:** No. This money will be deposited in government treasury. Expenditure for information supply will be met up from the regular allocation.

**19. Question: If anyone applies through email, how will he/she sign in the application?**

**Answer:** A scanned copy of the signed application will be sent by e-mail.

**20. Question: Can the E-service centers be considered under the purview of Right to Information?**

**Answer:** Since these E-service centers are not government statutory organizations, these can not be considered as “information providing unit”. Off course, these centers can cooperate to supply information properly.

**21. Question: How can we get the information about stamp price?**

**Answer:** According to RTI Act 2009, Section 8, information price will be realized.

**22. Question: If anyone requires information to do harm of others?**

**Answer:** There is no opportunity to check why a person is taking information. Except information under Section 7, “designated officer” is compelled to supply any information requested by the applicant.

**23. Question: If anyone requests information through e-mail, how the price will be realized?**

**Answer:** Since there is no expenditure for photocopy or any other purpose, the information can be supplied without any cost. Off course, if needed it can be demanded from the applicant.

**24. Question: How the exact and logical price will be fixed?**

**Answer:** There is detail direction on this in the RTI Act.

**25. Question: If anyone requires education related information to an Agriculture Officer, how he/she will provide this?**

**Answer:** Agriculture Officer will provide the preserved information under his/her office or he/she can provide this collecting from the subjugated office. Since education office is a separate information providing unit, the applicant will request such information from education office. Agriculture Officer will inform the applicant about his/her inability.

## Chapter 6

### 6.4 Questions Submitted to the Parliament

<b>QUESTION</b>	<b>ANSWER</b>
<p><b>*199: Md. Mujibul Haque (Kishoreganj-3):</b> He requested to the Honorable Minister to kindly specify the steps taken by the Government to make the general people aware of the Right to Information Act.</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>The following steps have been taken by the Government to make the public aware about the Right to Information Act:</p> <ol style="list-style-type: none"> <li>1) With the help of the district administration and in co-operation with the Information Commission, the Government has arranged awareness building programs in different districts and villages of the country. In the programs the Deputy Commissioner, NGO workers, civil society representatives and representatives from print and electronic media and also a large number of people were present.</li> <li>2) Two mobile phone operators namely GrammenPhone and Robi axiata are sending free SMS about RTI Act to people as part of their Corporate Social Responsibility. Already 28 crores of SMS have been sent to the people. At the same time, the scroll in television has been used to show case the Information Right of the people.</li> <li>3) Officers in different government and non-government organizations are being trained on the RTI Act.</li> <li>4) Last December, 2011 Cabinet Secretaries from 45 Ministries were made aware of the RTI Act through an idea discussion program. In these sessions, Ministers were present at different times.</li> <li>5) Besides numerous shows on RTI Act, a 13 minute long spot was broadcasted on Bangladesh television for 50 times. Besides, the awareness programs on RTI Act have been telecasted in different BTV programs such as News Everyday (<i>Khabor Protidin</i>), Follow the Law (<i>Ain Meney Choli</i>), News Afterward (<i>Shangbad Porikroma</i>) and Human Rights (<i>Manobadhikar</i>).</li> </ol>

<b>QUESTION</b>	<b>ANSWER</b>
<p><b>117: (a) Abdullah-Al-Kaiser (Narayanganj-3):</b> Is there any plan to create an</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) Till now there is no plan to establish an upazilla based committee in every upazilla that will be headed by</p>

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<p>Upazilla committee lead by the chairman in every upazilla with an aim to implement the RTI Act very soon?</p>	<p>the respective upazilla chairman. A number of activities have been undertaken by the government and the Information Commission to make the RTI Act popular among which sending SMS in mobile, scroll in the television, arranging awareness programs at district and upazilla levels, campaign in the media are notable. In future, with an aim of proper implementation of the law, the government has plans to increase its campaign in both BTV and other electronic and print media. Besides, folk songs (<i>Jari gaan</i>), dramas, newsletter publishing and distribution, voice SMS distribution and arranging workshop to make the RTI Act more popular are under the consideration of the government. There is no Committee of Information Commission Act at division, district or upazilla level.</p>
<p>(b) Will the Sonargaon upazilla in Narayanganj district be created immediately? If yes then by when will it be created; if not then what is the reason behind this?</p>	<p>(b) Since there is no plan to establish any committee at the upazilla level in the country, hence no such plan exists for Sonargaon upazilla in Narayanganj district.</p>

QUESTION	ANSWER
<p><b>118: Abdullah-Al-kayser (Narayanganj-3)</b> (a) When were the guidelines of RTI Act provided by the Information Commission for approval?</p> <p>(b) Will the guidelines be implemented immediately; if yes then by when if no then what is the reason?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) The guidelines of the RTI Act have been approved from the Information Commission on January 10, 2011 and published in the Bangladesh Gadget on June 14, 2011.</p> <p>(b) These guidelines have already been approved and circulated.</p>

QUESTION	ANSWER
<p><b>114: (a) Abdullah-Al-kaiser (Narayanganj 3):</b> Is there any plan to make a order to hang the basic objectives of the RTI Act</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) If it is the responsibility of the Government or non-government or foreign funded organizations to appoint a designated officer to provide information as stated by the RTI Act 2009. In</p>

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<p>and a list of the designated officers in every Upazilla Parishad office? If no then what is the reason?</p> <p>(b) Will the above direction be given to all union parishad offices in the Sonargaon upazilla in Narayanganj district? If no then what is the reason?</p>	<p>accordance to this requirement, all the offices have already appointed designated officers and circulated it on the notice board. The Information Commission has published the name of all designated officers on their website. District administration has also published this in their official website. As a result, it is under consideration to order all offices to publish the list.</p> <p>(b) Similar steps will be taken for Sonargaon Upazilla in Narayanganj district.</p>
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QUESTION	ANSWER
<p><b>120: A.B.M Asraf Uddin (Nizan) (Laximpur-4)</b> Recently the Government has proposed a draft of guidelines to control the news casting private channels. Will the proposed guidelines disrupt the freedom of the news paper and media; if the answer is yes, has the Government taken any plan to cancel the mentioned draft guidelines?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) The present Government is determined to establish the freedom of newspapers and free flow of information according to its election mandate. The question does not arise that a guideline will be provided that will disrupt the freedom of the media. However, a broadcasting guideline is necessary to ensure that the media adheres to the rights of the public. The guidelines will be provided upon discussion with the general people. There is no scope to cancel a draft of guidelines until it is completely implemented.</p>

QUESTION	ANSWER
<p><b>125: Jafrul Islam Chowdhury (Chittagong 15)</b> (a) Does the government have a predefined plan for the next four years for implementing the RTI Act; if yes then what is it; if not then why?</p> <p>(b) What is the name,</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) The Information Commission has provided the roadmap of the RTI Act, 2009 for the next one year. According to the roadmap for the year 2011-12, 18 core SMS will be sent, 2000 minute scroll, 60 public awareness meeting and 2 dramas will be broadcasted. Already the Information Commission has taken initiatives to send 21 crore SMS, scrolls in different Television Channels, arrangement of public awareness programs in 53 districts and 4 upazillas and training of 1704 designated officers.</p> <p>(b) According to Section 2(b) of the RTI Act, 2009</p>

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<p>designation, e-mail address and contact detail of the designated officers for providing information at the Government or non-government universities in Dhaka, Television Channels and top 30 national dailies of the country?</p>	<p>only government organizations, government and foreign funded private organizations and private organizations who are responsible for doing government activities in accordance to their agreement with government are obliged to follow the requirements of the RTI Act, 2009. Private Universities, Private Television Channels and national daily newspapers are not under the RTI Act. Government Universities and Bangladesh Television have appointed designated officers whose name are provided on the Information Commission (<a href="http://www.infocom.gov.bd">www.infocom.gov.bd</a>) website.</p>
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QUESTION	ANSWER
<p><b>126: Jafrul Islam Chowdhury (Chittagong-15)</b> Will a panel of officials be provided by the ministry to implement the RTI Act quickly for the betterment of the country and; if no then why?</p>	<p><b>Abul Kalam Azad, Information Minister</b> There is no plan yet to send proposal to the respected ministry for the establishment of a panel of officials to implement the RTI Act. However all the ministries have been directed to provide and publish information themselves.</p>

QUESTION	ANSWER
<p><b>373: Abdullah-Al-Kayser (Narayangonj-3)</b> (a) Will the guidelines of telecasting different shows reflecting the main objectives of the Right to Information Act be determined? If yes, then when and no, then why?  (b) As recognition for vast RTI campaign, is there any plan to award the best 5 channels on next International Right to Information day; if no; what is the reason behind this?</p>	<p><b>Abul Kalam Azad, Information Minister</b> (a) There is no plan yet to present the main objectives of the RTI Act in a verity of forms on television. However, the IC has devised a one year roadmap for its activities. In the above roadmap, providing scrolls in television, <i>jaree gan/drama</i> shows are in the plan of the IC. The present government is determined to ensure the freedom of the press. Hence, Government has no plan to impose anything on media. But a guideline will be determined upon consultation with all the people.  (b) There is no plan to award the best channel who has campaigned for proper implementation of the RTI Act, This proposal will be considered in the future.</p>

QUESTION	ANSWER
<p><b>1907: Abdullah-Al-Kayser (Narayangonj-3)</b> According to RTI Act have all the offices recruited</p>	<p><b>Abul Kalam Azad, Information Minister</b> The appointment of designated officers in all government and non-government organizations all over the country has been partially completed. The</p>

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designated officers and appellate authority allover the country? If not, then what is the reason?	appointment of designated officers and appellate authority has not been completed at all levels of information providing units. It is a continuous process. Within a very short time the appointment is expected to be completed.
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<b>QUESTION</b>	<b>ANSWER</b>
<p><b>665: Jafrul Islam Chowdhury (Chittagong-15):</b> (a) Is it true that, appointment of designated officers has not yet been completed in all the information providing units, if yes, then will the responsible people be identified with reasons if no then why?</p> <p>(b) Will necessary actions be taken against the responsible people? If yes, then when and if no then why?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) According to section 10 of RTI Act, 2009 the appointment has been completed partially, keeping this in mind, the Information Commission is carrying out a number of demonstrations such as public awareness programs, campaigns in print and electronic media, sending letters in different government and non-government organizations, organizing discussion sessions, sending SMS in mobile, and television scrolls all over the country have accelerated the appointment process. Already 8925 officials have been appointed. It is expected that if such campaigns are continued and people become interested in the RTI Act, then the organizations will take steps to appoint the required officers. It is a continuous process and all the designated officers have not been appointed till now in this regard, all available steps have been taken and the appointment process will be completed within a very short time.</p> <p>(b) Since RTI is a relatively new act, hence time is required for its complete implementation. By punishment only, the act cannot be completely established. Increasing the awareness of the public and the responsibility of the public will ensure proper implementation of the Act. Otherwise provision of fine in the RTI Act will ensure that fines are imposed in undesirable cases.</p>

<b>QUESTION</b>	<b>ANSWER</b>
<p><b>1298: Begum Faridunnisa laily (Women Cabinet 18)</b> What benefits are the people of this country getting from the Information</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>The people's right to information has been established after the commencement of the RTI Act 2009. Under this Act, the people can obtain information from government and non-government organizations, also</p>

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<p>Commission; how many complaints have the Commission received since its establishment, how many have been solved?</p>	<p>from government/foreign funded private organizations, Under this act the empowerment of the people has been ensured and transparency and accountability of the offices have been achieved.</p> <p>From its establishment, a total of 57 complaints have been filed and among these 32 complaints have been solved.</p>
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QUESTION	ANSWER
<p><b>1349: Abdullah-Al-Kayser (Narayangonj-3)</b></p> <p>(a) Is it true that some people have requested for the punishment of the people involved since their complaints were not dealt with accordingly, if the answer is yes than what is the name and address of the applicant and full description of their application?</p> <p>(b) Will the guilty person be penalized according to the worker behavior guidelines of the Commission, if yes, then when; if no, then, why?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) It is not true, however according to section 25 of RTI Act 2009, a person can lodge a complaint to the Information Commission if he/she gets no information upon request. The commission has received 57 such complaints out of which 32 have been solved and the remainder is in the process of receiving thoughtful decision from the commission.</p> <p>(b) Not according to the worker guidelines of the Information Commission, it is according to section 27 of the RTI Act that actions can be taken against the persons who prevent others from getting information.</p>

QUESTION	ANSWER
<p><b>451: Abdulla-Al- Kaiser (Narayangonj-3)</b></p> <p>According to the RTI Act, how many designated officers and appellate authority are stationed in the branches of state-owned and private banks including <i>tafsili</i> banks in Narayangonj and what is their number at Upazilla level?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>According to the RTI Act, among the <i>tafsili</i> banks at Narayangonj district only Grameen Bank has appointed designated officer and appellate authority.</p>

QUESTION	ANSWER
<p><b>452: Jafrul Islam Chowdhury (Chittagong-15)</b></p> <p>(a) Has the appointment</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) The appointment procedure is being completed in two ways at the Information Commission. The first class officers are being appointed by PSC.</p>

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<p>process of the Information Commission been completed, if no why?</p> <p>(b) What is the number of applicants in accordance to the circulated posts?</p>	<p>The commission presents appointment opportunity for the second class, third and fourth class employees and selects the employee out of all the applications that are submitted. It is expected that the employment can be completed within this year.</p> <p>(b) At the Information Commission 2215 applications have been submitted against 36 posts in 19 categories of second, third and forth class.</p>
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QUESTION	ANSWER
<p><b>478: Jafrul Islam Chowdhury (Chittagong-15)</b></p> <p>(a) What is the number of designated officers and appellate authority under the Ministry of Health?</p> <p>(b) What are the names and designation of the designated officers and appellate authority who are responsible for providing information of 50 government and top private hospitals in Dhaka city?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) Till June 20, 2011 there are 482 designated officers and 64 appellate authorities who are responsible for providing information, according to the Information Commission.</p> <p>(b) The Information Commission does not yet have statistics regarding the names and designation of the designated officers and appellate authority appointed for 50 government and top private hospitals in Dhaka City.</p>

QUESTION	ANSWER
<p><b>192: Jafrul Islam Chowdhury (Chittagong-15)</b></p> <p>(a) Is it true, that it has been proposed to incorporate RTI Act in the text book, if yes then what is the description of the proposal;</p> <p>(b) Has the designated officers and appellate authority been appointed to provide information in the government private colleges or university colleges, if no, then why?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) Yes, it is true, request has been sent to the Education Ministry regarding incorporation of RTI in the text books the details of which has been provided in appendix-A.</p> <p>(b) The designated officers and appellate authority have not been appointed in all the government and non government colleges and university colleges all over the country. According to the obtained information, the designated officers and appellate authority have been appointed on 54 government colleges and university colleges within time.</p>

<b>QUESTION</b>	<b>ANSWER</b>
<p><b>193: Jafrul Islam Chowdhury (Chittagong-15)</b></p> <p>Is it true, that if the Commission becomes stronger; then corruption will be reduced? If yes then what steps have been taken to make the commission stronger and fast-moving in future?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>According to the Article 39 of the Constitution of Bangladesh, thought, conscience and freedom of speech are considered to be the basic rights of the people. Beside this, ensuring free flow of information for mass people is given high priority in the election mandate of present Government. As a result the RTI Act has been commenced to ensure the right to information for the people and transparency and accountability at every sphere of administration. If RTI Act is implemented in letter and spirit then corruption will be reduced in the country and at the same time accountability can be ensured every where.</p> <p>Already different steps have been taken to make the Information Commission stronger and fast reacting. Among these allocation of money, recruitment of work force, procurement of office equipments and vehicle, constructing Commission's own building, setting up its own server station, building website and providing the required rules and regulations. Beside these other effective initiatives are to publish the annual report, planning to inspire Ministry of Health and Planning, Ministry of LGED, Ministry of Primary and Mass Education and Bridge Department to provide suo-moto information. In this regard, the Ministry of Finance and donor organization World Bank are providing proper help and advice. The present Government will take all necessary steps in the future to strengthen the Information Commission.</p>

<b>QUESTION</b>	<b>ANSWER</b>
<p><b>628: Momtaz Begum (Women contituent-21)</b></p> <p>The RTI Act has ensured peoples' right to obtain information. Under this Act, has the general public faced any trouble in obtaining information' if yes, is there any necessity to bring rectification/amendment in this act?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>Some important challenges concerning implementation of the RTI Act are;</p> <ul style="list-style-type: none"> <li>➤ The main challenge is to create awareness among grass root people about RTI Act. The main reason behind this is their unawareness about the basic rights, they live below the poverty line and they do not have access to the internet.</li> <li>➤ Shortage of skilled workforce and lack of digital procedure for data storage such as information preservation system and introduction of web base data base in government and non-government organizations.</li> <li>➤ The negative mindset of the officials to provide suo-moto information in accordance to the section 5(1) of the RTI Act.</li> </ul>

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	<ul style="list-style-type: none"> <li>➤ The success of the designated officers is very much linked to the awareness of the appellate authority.</li> </ul> <p>The Act is still in its initial stage. The work of making additions and corrections of the act will be made in the future following the testing of the act.</p>
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QUESTION	ANSWER
<p><b>646: Hossain Mokbul Shahriar ( Rangpur:1)</b></p> <p>(a) Countries that have implemented the RTI Act, what is their position in the list of the top corrupted countries; if yes, then what steps will be taken to immediately implement this act in Bangladesh?</p> <p>(b) When will the act be completely implemented; if not, then why?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>Yes, true , the following steps will be taken in future to implement the RTI Act at field level:</p> <ul style="list-style-type: none"> <li>(1) Ensuring the appointment of designated officers in every government and non-government offices.</li> <li>(2) To expand the public awareness programs at the district and Upazilla levels.</li> <li>(3) To provide financial and logistic support to the designated officers under the RTI Act.</li> </ul> <p>(b) Since it is a continuous process hence a fined date of full implementation of the RTI Act cannot be stated.</p>

QUESTION	ANSWER
<p><b>2589 : Abdullah Al Kaiser ( Narayangonj: 3)</b></p> <p>(a) Is there any initiative(s) to build Information Commission's own complex! if no then what is the reason; and</p> <p>(b) Is there any initiative to recruit Information Commission's approved workforce to make the Commission speedy; if yes, then by when, if no, then what is the reason?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>(a) Land has been sanctioned already for Information commission. Now steps have been taken to acquire cash, after then building Commission's own complex will be started.</p> <p>(b) To bring back the intensity to the IC, The process of appointing the approved work force is ongoing. The process of advertising on the newspaper regarding the employment is underway. Letter has been sent to the public service commission (PSC) asking for deployment of officials in certain categories.</p>

QUESTION	ANSWER
<p><b>1972 : Abdullah-Al-Kaiser(Narayanganj:3)</b></p> <p>a) Is there any plan to launch a different TV Channel for the children</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>a) Under present condition, no such plan exists to establish separate TV channel for the children.</p> <p>To setup a TV-channel requires large number of workforce and financing. That is why; setting up</p>

<p>especially the autistic children to achieve right to information and also for their mental growth; if yes, by when ,if no, then why;</p> <p>b) According to the RTI Act will all the Ministries/Departments be asked to provide suo-moto information; if yes, then by when, else, why?</p>	<p>different TV channel with different objectives is very tough. In the meantime 3 (three) different TV Channels namely BTV, BTV World and Sangsad Bangladesh are operating their broadcasting activities. Besides, another channel by the name of Unnoyon Channel is under plan to launch by the government.</p> <p>b) According to the section 6 of the RTI Act, 2009, all Ministries/Departments are directed to provide suo-moto information to the public. Hence, the following five Ministries/Departments have taken steps to provide suo-moto information.</p> <ul style="list-style-type: none"> <li>01) Ministry of Health and Planning</li> <li>02) Ministry of Information</li> <li>03) Ministry of Primary and Mass Education</li> <li>04) Ministry of LGED</li> <li>05) Department of Bridge, Ministry of Communication</li> </ul> <p>According to the meeting held in Information Commission with the presence of all these five Ministries, Department of Bridge is going to publish suo-moto information and the other 4 (four) Ministries have also taken the similar steps. Other Ministries/Departments will periodically take steps of providing their information.</p>
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QUESTION	ANSWER
<p><b>758: Abdulllah-Al-Kaiser (Naranyanganj-3):</b> Is it true that a minimum of 80 NGOs participated in the movement of establishing the RTI Act. If yes then what is the name of the NGOs, Chief Executive of these organizations, name, phone/cell phone number and address of the designated officers and appellate authority?</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>'The RTI Act the result of the movement of 80 NGOs' this information is not true. Actually the main factors behind the commencement of RTI Act is the Constitutional responsibility, present Government's election promise and side by side civil society representatives and different NGOs have played important role. According to Article 39 of the Constitution thought, conscience and freedom of speech is one of the basic rights and Right to Information goes under this right. To ensure people's right to information RTI Act is commenced. Already 1469 designated officers from different NGOs have been appointed for providing information. The name, address and phone number of these officers are provided in Information Commission website <a href="http://www.infocom.gov.bd/appendix -A">www.infocom.gov.bd/appendix -A</a>)</p>

QUESTION	ANSWER
<p><b>54: Mostaq Ahamed Ruhi (Netrokona-1):</b> Is there any plan to compulsorily establish</p>	<p><b>Abul Kalam Azad, Information Minister</b></p> <p>For proper implementation of the RTI Act and to ensure easy access to information, the Government has planned to establish Electronic Information Desk in all</p>

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<p>Electronic Information Desk in all Ministries and Departments? If yes, then when it will be implemented?</p>	<p>Ministries/Departments. This will be realized periodically. The Government is considering of making it mandatory.</p>
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QUESTION	ANSWER
<p><b>110: Sadhana Halder (Female-constituency -32)</b> Commencement of the RTI Act is a revolutionary step by the Government. Is there any plan to carry out public awareness activity to make people interested to know information?</p>	<p><b>Abul Kalam Azad, Information Minister</b> Information Commission has covered 33 districts through arranging public awareness and opinion sharing meeting at divisional, districts and upazilla levels where civil society representatives, heads of different educational institutions and local public representatives were present. IC has already signed a Memorandum of Understanding with Grameen phone and Rabi axita, under which different SMS have been sent via mobile phones and campaigns are carried out in BTV and other TV channels. Besides, the IC has taken initiative and made 02 booklets and 01 leaflet which have been sent to various institutions. IC has already carried out opinion sharing meeting with print and electronic media representatives.</p>

QUESTION	ANSWER
<p><b>Mostaq Ahamed Ruhi (Netrokona-1):</b> Is there any plan to compulsorily establish Electronic Information Desk in all Ministries and Departments? If yes, then when it will be implemented?</p>	<p><b>Abul Kalam Azad, Information Minister</b> According to the sub-section 5(2) every authority shall, within a reasonable time-limit, preserve in computer all such information as it thinks fit for preservation in computer, and shall connect them through a country-wide network to facilitate access to information. According to Rules 7 of Right to Information (Receiving Information) Regulation 2009, each authority, depending on the availability of internet service, will always activate their internet connection for information providing and receiving digitally. The information receiving system will be easier when each authority will be able to introduce digital system with the help of Information Commission, Ministry of Information, Ministry of Science, Information and Communication Technology, Bangladesh Computer Council, A2I Project and other relevant offices. At the primary stage, Government will consider to compulsorily establish Electronic Information Desk in all Ministries and Departments.</p>

QUESTION	ANSWER
<p><b>1828: Begum Sultana Bulbul( Female constituency 34</b></p>	<p><b>Abul Kalam Azad, Information Minister</b> According to section 10 of the RTI Act, 2009, every office will appoint designated officer for providing</p>

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<p>How many information requests from general people have made to the honorable Prime Minister, honorable Leader of the Opposition, Prime Minister's Office, Election Commission Secretariat and Secretariat of the National Assembly?</p>	<p>information. The names and addresses of 1889 designated officers have been provided in the IC website (<a href="http://www.moi.gov.bd">www.moi.gov.bd</a>). But the specific number of applications submitted to different authorities is not available in the Ministry. Off course we have a plan to get these information through developing Management Information System (MIS).</p>
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QUESTION	ANSWER
<p><b>1836: Hossain Mokbul Shahriar (Rangpur-1):</b> Is it true, that the guidelines of the IC were not distributed due to some technical issues? If yes, what are the technical issues; and when will be the problems solved?</p>	<p><b>Abul Kalam Azad, Information Minister</b> In light of section 33 of RTI Act 2009, Right to Information (receiving information) Regulations, 2009 was commenced and it was published on October 27, 2009 in the extra version Bangladesh Gadget. After an amendment in Rule-6, the amended regulation was published in the extra copy of Bangladesh Gadget. Already the copy of this regulation has been sent to all Ministries/Directorate/Divisions/Departments. It is also available in the Information Commission website from where it can be downloaded.</p>

QUESTION	ANSWER
<p><b>514: Abdullah Al Kaiser (Narayonganj-3):</b> Is it true that, the RTI Act is the strongest weapon to bring change, to ensure people's information right and to establish transparency and accountability? If yes, then is there any initiative to carryout huge campaign in mass media for proper implementation of the Act?</p>	<p><b>Abul Kalam Azad, Information Minister</b> The RTI Act, 2009 has been enforced to ensure the empowerment of the people and to ensure transparency and accountability at every level of administration. To implement the Act properly huge campaign is being carried out. The IC has already made awareness and advertisement activity on the RTI Act, 2009 in 25 districts. Namely;</p> <ul style="list-style-type: none"> <li>1. Comilla</li> <li>2. Gazipur</li> <li>3. Narayanganj</li> <li>4. Munshganj</li> <li>5. Manikgonj</li> <li>6. Rajbari</li> <li>7. Faridpur</li> <li>8. Magura</li> <li>9. Jessore</li> <li>10. Narail</li> <li>11. Gopalganj</li> <li>12. Madaripur</li> <li>13. Natore</li> <li>14. Shirajgonj</li> <li>15. Narshingdi</li> </ul>

	<p>16. Barisal      17. Rangpur      18. Mowlavibazar      19. Habiganj      20. Dhaka      21. Chuadanga      22. Meherpur      23. Kushtia      24. Naogaon      25. Chapainawabganj</p> <p>Besides getting views of mass people and government/non-government officials, Information Commission has undertook various wokshop, seminar, government training academy, different NGOs, aborigines associations, Community Radio Network, interviews in different newspapers, editorial/ sub-editorial publications, Talk Shows in electronic media and meeting with international press institute (IPI). In this fiscal year, Information Commission has taken working plan for increasing the popularity of RTI Act among the public.</p>
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<b>QUESTION</b>	<b>ANSWER</b>
<p><b>60: Hossain Moqbul Shahriar ( Rangpur-1):</b>      What are the names and contact details of the designated officers appointed at government Ministries, Departments, Divisional offices and District offices, Will the name be published immediately in IC the website?</p>	<p><b>Abul Kalam Azad, Information Minister</b>      In the light to section 10 of the RTI Act, 2009, the names and contact details of 1541 (one thousand five hundred and forty one ) designated officers have been provided in the Ministry of Information website <a href="http://www.moi.gov.bd">www.moi.gov.bd</a>. As a continuous process Ministry is regularly updating the information through providing the name and contact detail of newly requited designated officers      It must be mentioned that the IC website has been developed in co-ordination of the Bangladesh Computer Council. The commission is strongly hopeful that the website can be launched by the next June, 2010.</p>

<b>QUESTION</b>	<b>ANSWER</b>
<p><b>13: Hossian Moqbul Shahriar (Rangpur-1):</b> Is there any case of rejection where any citizen or journalist wanted information but was denied; If the answer is yes, will actions be taken in light to the RTI Act?</p>	<p><b>Abul Kalam Azad, Information Minister</b>      The Information Commission has started its work officially from the 2<sup>nd</sup> July, 2009. People have sent copies of application to IC in regard to their prior request for information to different authorities. The IC has 18 such copies of application. In these cases, the IC has directed the authorities to provide information and in case where the request is not clear, the IC has diverted to provide an investigation report in accordance to the regulations of RTI act, 2009. Till now Information Commission has received only one application which was submitted following the proper steps. The</p>

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	complaint has been filed by the Bangladesh Environmental lawyers Association which is under on going legal procedures.
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QUESTION	ANSWER
<b>18: Abdullah Al Kaiser (Narayanganj-3):</b> What are the phone numbers and contact details of all designated officers responsible for providing information of the government Ministries/Departments in Dhaka city?	<b>Abul Kalam Azad, Information Minister</b> A list incorporating the name, phone numbers and detailed information of the appointed 36 designated officers in Dhaka city is enclosed (Appendix: D)

QUESTION	ANSWER
<b>19: Abdullah Al Kaiser (Narayongonj-3):</b> What is Information Commission Organogram? What are the responsibilities, name and contact details of all the officers according to the organogram?	<b>Abul Kalam Azad, Information Minister</b> A copy of the organogram with an approval for 19 Officers and 57 staffs from the Ministry of Establishment, Ministry of Finance, Committee of Secretaries and the honorable Prime Minister is enclosed (Appendix-E). According to the approved organ gram the responsibilities of 19 officers (Appendix: F) and the names, designations and phone numbers of the officers currently working at the IC are attached (Appendix: G)

QUESTION	ANSWER
<b>1042: Sadhana Halder (Female Constituency-32):</b> The present Government has been praised every where for the commencement of RTI Act. Though it has ensured the information right of all people, still the dumb are deprived of this right. The honorable Prime Minster has ordered to introduce news broadcasting through sign language in BTV and other TV-channels. Will the Government take any effective steps to ensure the use of sign language in all TV channels?	<b>Abul Kalam Azad, Information Minister</b> The Bangladesh Television has been regularly broadcasting a 25 minute long news based program under the name <i>Pakkhik Barta</i> . Following the order of the honorable Prime Minister Bangladesh Television has been broadcasting a 5 minute long news bulletin at 5 pm with sign language for the hearing disabled. Beside this, private channel named Desh TV is also broadcasting news using sign language. The other TV channels are also requested to broadcast news using sign language.