

Information Sharing for a Better Governance



L-R: AB Paul, Ajnish Bishwas, Manju Saini (Pradhan),
Shahpura, Jaipur

CUTS Centre for Consumer Action, Research & Training (CUTS CART) organised a Mid-Term Dissemination Meeting under the project titled, "Combating Corruption in the Rajasthan State, by applying RTI Act as a Tool", on October 10, 2007 at Rajasthan Institute of Cooperative Education and Management (RICEM), Jaipur. The project is being implemented with the active support of the Partnership for Transparency Fund (PTF) US in two administrative districts of Rajasthan viz., Jaipur and Tonk, with a rural community-based approach.

The objectives of the meeting were: to disseminate survey findings among surveyors, Consortium of Group for Combating Corruption (CGCC) members, non-governmental organisations (NGOs) and the government officials; to adopt new strategies for addressing corruption at different levels; and to share the findings of critical analysis under the project.

The workshop commenced with welcome remarks by RK Sharma, Programme Coordinator, CUTS CART, who stated that Right to Information (RTI) Act has a huge potential in ensuring the transparency and accountability in governance. He highlighted that CUTS CART has been involved intensively in promoting good governance through increased people's participation for the last 20 years. He also pointed out the need for forming public pressure groups/CGCC in Rajasthan. Ajay Kumar Jain Advocate, Rajasthan High Court was the chief guest of the event.

Manju Saini, Pradhan of Shahpura block stated that RTI Act has a potential to combat corruption but due to lack of awareness at the grassroots level no one comes forward to raise questions to government officials.

Presentation on Field Survey

Ajnish Bishwas and AB Paul of CUTS CART made a brief PowerPoint presentation of various aspects of the project covering the background, objectives, major activities, expected outcomes etc. Ajnish highlighted the findings from Questionnaire A (Government Officials) and Paul highlighted the findings of Questionnaire B (Common Citizens). Following are the major findings of the survey:

- awareness at grassroots level is very poor;
- lack of cooperation from the government officials at the block level;
- no training provided to government officials on RTI Act;
- no attempts were made by government officials to publicise this Act on the grassroots level;
- proactive disclosures were not found at many places; and
- boards indicating name and designation of Public Information Officer (PIO)/Assistant Public Information Officer (APIO) were not found in their departments.

Open Discussion and Feedback Session

In this session, participants shared their views on survey findings. Atmaram Sharma, a CGCC member from Samberlake block of Jaipur district said that he had faced many difficulties during the field survey. The participants discussed various issues that emerged from the survey. Also, field survey report and critical data were disseminated and further strategy for filing the application in RTI Act was developed to achieve the target of 500 applications.

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To make the government, at all levels, more accountable and more transparent, and to fight the cancer of corruption, we had introduced the Right to Information Act. I want every citizen to make full use of this Act to ensure that government functions properly and honestly. —August 15, 2007, Prime Minister Manmohan Singh.

Providing Platform to Exchange Information

Block Level Consultations

CUTS CART, with the active participation of PTF organised 12 Block Level Consultations under the project ‘Combating Corruption in Rajasthan State, by Applying RTI Act as a Tool’ from September 01-08, 07, at Jaipur and Tonk districts.

The consultations aimed to provide a platform to block level officials/public representatives and civil society organisations (CSOs) and local people to share their views and to identify the gaps between information providers and information seekers. It



also aimed at sharing the findings of the survey conducted in July 2007. A total of 579 participants, which includes public representatives and the government officials like *Pradhans/Zila Adhayaks/Block Development Officers (BDOs)/Block Elementary Education Officers (BEEOs)*, attended the consultation.

In the consultation, the effort of CUTS CART towards making people aware of RTI Act was appreciated. Ajnish Bishwas and A B Paul facilitated the workshop and oriented

government officials/community/NGOs towards the optimum use of RTI Act.

It was felt that the awareness level on RTI Act is very low among the community and government officials. Sapna Kumawat, a social worker from *Vikas Azad Navvyuvak Mandal Samittee Andhi* said that people below poverty line (BPL) are not getting the benefits from the block because their cards have been not issued though their names are in the BPL list. Kailash Chand Sharma from village Rajpura said that he had applied under *Swajaldhara* scheme to have water connection to his farm. On his application, *Tehshildaar* stamped approval but for the last one year he



has been waiting for water supply under the scheme. He said that now after knowing RTI Act he will file an application to know the status of his submission.

RTI Advisory & Facilitation Stall in Pushkar Mela

CUTS CART, in active partnership with CUTS Centre for Human Development (CUTS CHD) and with the support from PTF, US put up ‘RTI Advisory & Facilitation Stall’ during November 17-24, 2007, at *Pushkar Mela*, in Ajmer district, which is organised in October/November every year. With the help of CGCC and through exhibition stall, CUTS CART promoted the rural development schemes/policies of the government and other support agencies, including the grassroots interventions being made by CUTS.

Among the visitors were: Sarita Gena, Ajmer *Zila Pramukh* (Ajmer District Head), members of the *Panchayati*



Raj Institutions (PRIs), tourists from different regions of the country and abroad, officials from different departments of government and rural citizens. The visitors sought information about the RTI Act and how it can be applied for combating corruption. They were also keen to know about the work done by CUTS in ensuring good governance.

A total of filing 139 RTI Act applications were facilitated on the spot and more than 300 application formats were distributed to the visitors. The majority of applications filed were for submission at different offices under the Department of *Panchayati Raj* and Rural Development; Department of Land & Revenue; Department of Electricity; and Department of Consumers Affairs, Food & Civil Supplies since with these departments the rural masses have their maximum dealings.

The rural crowd was made aware of the RTI Act and provided with adequate knowledge in order to procure information through appropriate process of filing application. The media expressed deep interest in CUTS’ initiative towards curbing corruption. The most important observations noticed during the exhibition was the raised level of confidence among the rural citizens for addressing corruption after visiting the ‘RTI Advisory & Facilitation Stall’ and consulting CUTS staff.

गिफ्ट लेने वाले डॉक्टरों की तलाश

भूमिका

भ्रष्टाचार निरोधक ब्यूरो को शिकायत मिली कि दवा निर्माता कम्पनियों डॉक्टरों को रिश्वत देकर अपने-अपने उत्पाद डॉक्टरों से लिखवा कर मरीजों तक पहुँचा रही हैं। यह शिकायत दिनांक 03 मई, 2006 को दर्ज कराई थी जयपुर निवासी राज कुमार शर्मा ने, जो कि पेशे से वकील भी हैं। उन्होंने रिश्वत व गिफ्ट लेने वाले डॉक्टरों की सूची भी प्रमाणस्वरूप ब्यूरो को दी। स्थानीय मीडिया दैनिक भास्कर व राजस्थान पत्रिका ने क्रमशः दिनांक 20 एवं 23 मई, 2007 में उक्त खबर को समाचारों में प्रमुखता से स्थान दिया। इसके लिए 'कट्स कार्ट' उनकी प्रशंसा करता है।



कट्स कार्ट ने लिया पैरवी का निर्णय

चूँकि मामला जन स्वास्थ्य के खिलवाड़ से जुड़ा हुआ था और आम उपभोक्ता से सम्बन्धित भी, अतः 'कट्स कार्ट' ने अपने मुख-पत्र 'पांचवा-स्तम्भ' के वर्ष 8, अंक 2/2007 में मामले को प्रमुखता से प्रकाशित करते हुए इसकी गंभीरता से पैरवी करने का निर्णय लिया।

सूचना के अधिकार के तहत आवेदन

उक्त तथ्यों के मद्देनजर 'कट्स कार्ट' ने पहल करते हुए दिनांक 24 अगस्त, 2007 को सूचना के अधिकार के तहत लोकसूचना अधिकारी, स्वास्थ्य विभाग एवं भ्रष्टाचार निरोधक ब्यूरो से भ्रष्टाचार में लिप्त 200 डॉक्टरों की सूची मांगी। उक्त आवेदन पर भ्रष्टाचार निरोधक ब्यूरो ने अपने पत्र क्रमांक: भ्रनिब्यूरो/अशा/03/2007/457-58 दिनांक 24 सितम्बर, 2007 द्वारा निर्देशित किया गया कि आप वांछित सूचना प्राप्त करने हेतु चिकित्सा एवं स्वास्थ्य विभाग, राजस्थान, जयपुर से सम्पर्क करें।

उक्त पत्र प्राप्ति के तुरन्त बाद टेलीफोन पर सम्पर्क स्थापित कर दिनांक 05 अक्टूबर, 2007 को प्रमुख शासन सचिव, स्वास्थ्य विभाग से उक्त सूचना शीघ्र भिजवाने हेतु निवेदन किया गया। उन्होंने विभाग में व्यक्तिगत रूप से उपस्थित हो सूची प्राप्त करने की बात कही। इस पर दिनांक 8 अक्टूबर, 2007 को इस कार्यालय से अजनीश विश्वास एवं ए.बी.पॉल व्यक्तिगत रूप से उक्त सूचना प्राप्त करने गए तो देखा कि विभाग में किसी विरोध को लेकर कर्मचारी काम नहीं कर रहे थे। इस पर उपसचिव के पी.ए. ने कहा कि यह सूचना आपको डी.एस.2 से प्राप्त होगी। उनके कहे अनुसार डी.एस.2 में सम्पर्क किया गया तो अधिकारी 4.30 से लेकर 5.30 बजे तक अपनी सीट पर नहीं मिले। पास के अधिकारी से पूछताछ करने पर बताया गया कि वह चाय पीने गए हैं। कठिन प्रयासों के बाद उक्त सूचना संस्था को रजिस्टर्ड डाक से दिनांक 24 अक्टूबर, 2007 को प्राप्त हुई।

सूचना के अधिकार के नियमों की अवहेलना

यहां यह विचारणीय तथ्य है कि किस प्रकार लोक सूचना अधिकारी सूचना के अधिकार अधिनियम 2005 के नियमों की अवहेलना करते हैं और 30 दिन की निर्धारित समय सीमा में सूचना उपलब्ध कराने में असफल रहे हैं।

प्राप्त सूचना का विश्लेषण

1. राज कुमार शर्मा की दिनांक 03 मई, 2006 को प्रेषित शिकायत को भ्रष्टाचार निरोधक ब्यूरो ने अपने पत्र क्रमांक भ्रनिव/परि/5/2006/3391 दिनांक 27 सितम्बर, 2006 द्वारा प्रमुख शासन सचिव, चिकित्सा एवं स्वास्थ्य विभाग, शासन सचिवालय, राजस्थान जयपुर को परीक्षणोपरान्त अग्रिम कार्रवाई हेतु मूल-प्रति संलग्न करते हुए प्रेषित कर अपना पल्ला झाड़ लिया।
2. भ्रष्टाचार निरोधक ब्यूरो के उक्त पत्र पर कार्रवाई करते हुए राजस्थान सरकार के चिकित्सा एवं स्वास्थ्य (ग्रुप-2) विभाग ने अपने पत्र क्रमांक: प9(9)चिस्वा/2/06 दिनांक 15 नवम्बर, 2006 द्वारा निदेशक, (जनस्वा) चिकित्सा एवं स्वास्थ्य सेवाएं राजस्थान, जयपुर को भेज कर निर्देशित किया कि दवा कम्पनियों द्वारा भ्रष्ट एवं अनाधिकृत रूप से दवाई बनाने तथा चिकित्सकों को अनाधिकृत दवाई लिखने हेतु बाध्य करने बाबत शिकायत के संबंध में जांच कर अपनी जांच रिपोर्ट/तथ्यात्मक टिप्पणी सहित प्रस्तुत करें।
 - 2.1. इसके साथ ही राजस्थान सरकार के चिकित्सा एवं स्वास्थ्य (ग्रुप-2) विभाग ने उक्त पत्र की प्रति औषधि नियंत्रक-द्वितीय, औषधि संगठन, स्वास्थ्य भवन, तिलक नगर, जयपुर को भी भेजकर निर्देशित किया कि औषधि निर्माता कंपनियों द्वारा नकली दवाई बनाकर भ्रष्ट एवं अनाधिकृत रूप से चिकित्सकों को दवाई लिखने हेतु बाध्य करने पर औषधि निर्माता कम्पनियों द्वारा की जा रही अनियमितता की जांच अपने स्तर से कर विभाग को अविलम्ब अवगत कराया जाए।

अग्रिम कार्यवाही

विभाग से प्राप्त उक्त सूचना से यह स्पष्ट नहीं हो रहा कि विभाग द्वारा गिफ्ट लेने वाले डॉक्टरों पर अभी तक कोई सन्तोषजनक कार्यवाही की गई हो। अतः इसका कार्यवाही को आगे बढ़ाते हुए गिफ्ट लेने वाले डॉक्टरों के खिलाफ अब तक विभाग द्वारा क्या कार्यवाही की गई है उसकी प्रगति रिपोर्ट विभाग से मांगी जाएगी।

Official Efficiency

Ramkaran, from Tilonia village in Ajmer district took five women to submit an RTI application on the issue of old age and widow pension to the Sub-Divisional Magistrate's (SDM's) office, Ajmer. The SDM immediately called the concerned officer from the pension department and asked the officer as to why these women have not received their pension for the last four months. Then the SDM asked for the files to be on his table immediately. Before accepting the respective application, the SDM began to question the concerned officer on the issue.

The officer informed the SDM that these women had not filed their birth certificates and that was the reason for delaying the release of their pension. The SDM instructed the officer to release their pensions and take their birth certificates from Ramkaran and the Patwari (government officer who oversees the matter related to land) of the village. So without filing an application, the five women were given their four month pension immediately even though the office had closed down the files due to which they would have to wait for the next day under normal circumstances.

USAGE OF RTI



CART IN MEDIA

