



Report

on

Workshops for Propagation of Right to Information in the Twelve Districts of Himachal Pradesh

Sponsored By:

Himachal Pradesh State Information Commission

Organized By:

**H.P. Institute of Public Administration,
Fairlawns, Shimla-171012**

Website: <http://himachal.gov.in/hipa> Email: hipa-hp@nic.in

Report on Workshops for propagation of Right to Information in the Twelve Districts of H.P.

Right to Information Act, 2005 is a sunshine piece of legislation in our country. It is a powerful and potent tool of ushering in good governance in India. This Act contains enabling provisions to transform the system of governance in the country from regime of secrecy to accountable and participatory administration. The RTI Act, 2005 acknowledges the primacy of public interest over the protected harm in all government actions at all levels. Four years of its implementation across the country has brought out the gaps in preparedness for its rightful and effective implementation in the country to reap the resultant benefits of the RTI Act. The foremost among them is the lack of awareness of the provisions of this Act among the functionaries of the Act, namely, PIOs/APIOs/AAs who are a part of institutional framework and delivery of this Act.

The union government and the state governments are seized of this situation and have undertaken a series of measures to enhance the knowledge of all stakeholders of the contents of the Act. In this regard, training interventions play an important role to disseminate provisions of the Act.

In this context, the H.P. Institute of Public Administration Shimla, the apex administrative training organization of the H.P. State Government, under the aegis of the H.P. State Information Commission took the task of organizing training workshops on RTI Act 2005 in all 12 districts of the State to promote the knowledge on Right to Information for the gain of stakeholders, particularly those who are designated as functionaries under the Act in various Public Authorities in the State. Despite constraints of time and human resources, our Institute was able to organize 13 such Workshops covering the entire State.

The Institute would wish to place on record the support and cooperation extended by district administration in all the districts of the State in making this movement a success which is evident from the overwhelming response of the participants who took full advantage of these workshops in gaining information on the theme and also made the workshops eventful in actively sharing their experiences on the implementation of the RTI Act 2005 in their respective organizations.

HIPA also took this as an opportunity to enrich itself with various issues seizing the minds of PIOs and APIOs in discharge of their respective

roles under the RTI Act 2005. Queries, as raised by the participants were promptly addressed to by the Institute faculty.

It were the untiring efforts of the Principal Secretary, AR and Training to the government of H.P, Sh.T.G.Negi, IAS, who ensured his presence in most of these Workshops to address the audiences on RTI Act 2005. His meticulous delivery on the subject was applauded by one and all in these workshops and he took care to offer solutions to various problems accosted by the PIOs and APIOs in handling the RTI requests.

Dr. K.K.Handa, Core Faculty and APEA along with Sh. Rajeev Bansal, Research Officer of the H.P.Institute of Public Administration, Shimla were instrumental in organizing and conducting these RTI workshops and they addressed the participants in different Workshops on different dimensions of the implementation of RTI Act 2005 in the State.The Institute also took advantage of visiting these districts and distributed copies of the RTI Act, 2005 and the H.P. State RTI Rules, 2006 to the participants and other stakeholders in the State.

The mandate of the Institute was to conduct 12 RTI Workshops. However, the H.P.Institute of Public Administration, Shimla was able to organize 13 such workshops under this Project which are as follows:

1. Workshop on RTI Act 2005 at Mandi

A one day Workshop on RTI was organized for district Mandi at D.C. office, Mandi on 21-03-2009 in which a total of 113 participants from all across the district attended the workshop.



Resource Persons addressing Participants at Mandi



The participants evinced keen interest in the deliberations of the workshop and raised a number of queries on Right to Information and its implementation.



2. Workshop on RTI Act 2005 at Kangra

The RTI workshop for district Kangra was organized at Dharamshala on 24-03-2009 with the active cooperation of the district administration. The response to the workshop was overwhelming with 150 persons participating in the workshop. Deputy Commissioner Kangra, Sh. K.K. Pant inaugurated the workshop and highlighted the importance of the RTI Act 2005.



DC Kangra, Sh.K.K.Pant welcoming the participants



Complete attention of delegates at Dharamshala Workshop

3. Workshop on RTI Act 2005 at H.P. Secretariat, Shimla:

To generate awareness on the provisions of the RTI ACT 2005 and the RTI rules of the H.P.State Government among PIOs and APIOs of the H.P. Secretariat , Shimla-2, a workshop under the Project was successfully conducted in the Armsdale Conference Hall of the secretariat with a participation of 73 PIOs, APIOs and others. Sh. T.G. Negi, Principal Secretary, Training and Administrative reforms addressed the delegates and highlighted the provisions of the RTI Act and State RTI Rules and urged them to discharge their functions in such a manner as to ensure transparency to facilitate the implementation of the Act.

4. Workshop on RTI Act 2005 for district Shimla:

This workshop on RTI for district Shimla was organized at Bachat Bhawan in the premises of D.C. Office, Shimla on 09-06-2009 and it turned out to be a big hit with 151 persons attending the Workshop. Despite this unexpected large number of RTI functionaries and other stakeholders who came to attend the Workshop even from remote corners of the district, the deliberations in the workshop turned out to be fruitful. Participants were keen to learn about the benefits of the RTI Act 2005 and they also came up with queries on the RTI Act and the State Rules which were answered to their entire satisfaction.



Deliberations at RTI Workshop in Shimla

5. Workshop on RTI Act 2005 for district Sirmour:

The RTI Workshop of one day duration was held at Nahan, the district headquarters of Sirmour. Participants included PIOs and APIOs besides others. Sh. T.G. Negi , Principal Secretary, AR and Training to the government of H.P. apprised the gathering of various provisions of the RTI Act,2005 and advised them to adhere to rightful implementation of the right of citizens with regard to access to information. The workshop was joined by 85 stakeholders.

6. Workshop on RTI Act 2005 at Solan:

HIPA team organized the RTI Workshop for Solan district on 06-07-2009 at DC Office Solan in which 77 people participated. All were appreciative of the contents and deliberations of the Workshop and suggested that mote such events should periodically be organized to

strengthen their knowledge on the subject. Deputy Commissioner, Solan, Sh. Manish Garg was kind enough to inaugurate the workshop and extended full support in making it a success.

7. Workshop on RTI Act 2005 at Kullu:

With the support and cooperation of the district administration, the RTI workshop at Kullu was organized on 28-07-2009 in Dev Sadan Hall where 127 participants from various parts of Kullu district converged to learn about the provisions of Right to Information Act 2005 and the RTI Rules of the year 2006 of the H.P.State government.



Sh. Vinod Kumar,ADM Kullu addressing the delegates



PIOs and APIOs taking part in the RTI workshop at Kullu

8. Workshop on RTI Act 2005 at Lahaul & Spiti:

District Lahaul and Spiti is one of the tribal districts of the State where living conditions are hostile and which remains cut off during winters. The dedicated team of this Institute reached Keylong, the headquarters of the district, and organized the RTI Workshop on 30-07-2009 at DC Office, Keylong. Nearly 50 persons benefited from the outcome of the workshop who were imparted knowledge on the theme of right to information for its effective implementation.

Sh Palaraus, D.C., L&S district also addressed the participants and told them to keep themselves updated on the RTI related information.



Workshop in progress at Keylong, Lahaul & Spiti

9. Workshop on RTI Act 2005 for Chamba district:

Chamba district is a part tribal district and its Pangi sub-division headquarters Killar were chosen the venue for organizing a workshop on RTI under this Project. Having received the assurance from the Resident Commissioner, Pangi of all support, the team of the Institute comprising Dr. K.K. Handa and Sh. Rajeev Bansal visited Pangi and successfully conducted the RTI Workshop on 01-08-2009. The total participation in the Workshop comprising PIOs and APIOs and other stake holders including PRIs representatives was 66. This was the first ever training Workshop conducted at Pangi and the Resident Commissioner appreciated the gesture of H.P. Institute of Public Administration, Shimla for having chosen Pangi as a venue for the Workshop.



Participants in the RTI Workshop at Killar, Pangri, District Chamba



Officers and other stakeholders in the Workshop at Pangri

10. Workshop on RTI Act 2005 at Bilaspur:

On 1-9-2009 the Institute organized a Workshop on RTI at Bilaspur in which 99 people were present. Sh. T.G. Negi addressed the participants covering the entire gamut of the Right to Information Regime and its application in State. He called upon participants to be sensitive to the needs and rights of citizens

and asked them to be prompt in disposal of the RTI requests received by them.



Workshop in progress at Bilaspur



Bilaspur workshop participants

11. Workshop on RTI Act 2005 at Hamirpur:

The RTI Workshop in this series was organized at Hamirpur on 2-9-2009 and 114 participants attended the Workshop. Majority of them were PIOs and APIOs. Sh. Abhishek Jain, Deputy Commissioner, Hamirpur gave the inaugural address and highlighted the achievements of Hamirpur districts in effective implementation of the provisions of RTI Act, 2005 in the districts. Dr. K.K. Handa and Sh. Rajeev Bansal of the Institute deliberated upon the Act and the Rules and gave tips to the PIOs and APIOs in proper discharge of their functions.



Dr. K.K.Handa, Core Faculty, HIPA addressing the participants at Hamirpur



Participants at Hamirpur exchanging views on RTI

12. Workshop on RTI Act 2005 at Una:

The Workshop at Una for Una district saw a participation of 87. People comprising PIOs and APIOs and others. The District Administration provided the premises of Bachat Bhawan for

organizing this workshop which was attended among others by Deputy Commissioner and Superintendent of Police. Sh. T.G. Negi, delivered a talk on the RTI Act and State Rules and also addressed their queries on the subject.



Resource Person in RTI Workshop at Una



Participants keenly listening to Resource Persons at Una

13. Workshop on RTI Act 2005 at Kinnaur:

Braving and intense cold people came in large number exceeding 160 to gain the knowledge on the Right to Information.



Sh. T.G.Negi addressing participants at Reckong Peo on RTI

The Workshop saw maximum number of participation comparing to the attendance in another Workshop. The Pr. Secretary, AR & Training, Sh. T.G. Negi, despite his busy schedule, made it a point to be present in the Workshop to address the participants.



Participants in traditional attire in the RTI Workshop at Reckong Peo

Summary of RTI Workshops:

Table below depicts the number of participants in the RTI Workshops conducted in all the districts of H.P. A total of 1350 participants attended these trainings with an average of 103 participants per Workshop.

Sr. No.	Title of the Course	Dates	PIO	APIO	Others	Appellate Authority	Total
1	Workshop on RTI at Mandi	21-03-2009	42	38	33	0	113
2.	Workshop on RTI at Dharamshala	24-03-2009	49	66	34	01	150
3.	Workshop on RTI at H.P. Secretariat	08-05-2009	26	36	11	0	73
4.	Workshop on RTI at Shimla	09-06-2009	52	53	46	0	151
5.	Workshop on RTI at Nahan	19-06-2009	36	27	22	0	85
6.	Workshop on RTI at Solan	06-07-2009	27	22	27	01	77
7.	Workshop on RTI at Kullu	28-07-2009	28	63	36	0	127
8.	Workshop on RTI at Keylong	30-07-2009	11	24	12	01	48
9.	Workshop on RTI at Killar	01-08-2009	18	22	26	0	66
10.	Workshop on RTI at Bilaspur	01-09-2009	41	47	10	01	99
11.	Workshop on RTI at Hamirpur	02-09-2009	31	56	26	01	114
12.	Workshop on RTI at Una	03-09-2009	35	33	18	01	87
13.	Workshop on RTI at Reckong Peo	12-11-2009	34	25	101	0	160
	Total		430	513	401	06	1350

14. Queries raised by the participants in these Workshops:

1. What is the role of APIO if PIO is also available in the same office?
2. What are the specific functions of APIOs. ?
3. Can APIO give information at his own level if it is available with him?

4. What will happen to the time line of 48 hours in case of request of information pertaining to life and liberty is received by the APIO?
5. What will happen if more than one information pertaining to different subjects and years is requested for in one application?
6. How to check the misuse of free information clause for BPL?
7. What is the meaning and interpretation of “form of information” as per section 7 (9) of the RTI Act 2005?
8. What will happen if the record sought under the RTI Act is missing and is not traceable?
9. Which certificate of BPL is valid for urban area BPL persons for seeking fee exemption?
10. What is the recourse with the PIO if large amount of information is sought by the person of BPL and the office has no funds to make the information available?
11. What is the remedy in cases when the information is voluminous and majority of staff is involved in extracting the information at the cost of avoiding their core function?
12. Who issues BPL certificate in urban area?
13. Where can complaint be submitted and under what circumstances?
14. Is there exemption under RTI Act for giving information on any ongoing departmental enquiry?
15. CIC, in one of its orders, has stated that organizations, associations, societies, etc. can file application under the RTI whereas the Act states that only Indian Citizens as individuals can exercise the right. What is the stand in the State on the issue?
16. In ‘Vacation departments ‘ such as education institutes, when the PIO is enjoying vacations, who will deal with applications under RTI in his /her absence?
17. The Executive Council of the HP University has resolved not to disclosure 14 types of information under RTI. In this regard whether the RTI Act shall prevail or the resolution of the Executive Council ?
18. Whether Video/Audio recordings of any official events can be given under RTI?
19. Some PIOs direct their subordinate officers to give information under the RTI at their own level. Is it permissible under the RTI Act?
20. What is the procedure of authenticating of information by the PIO if supplied in Floppies, CDs, etc.?

21. What are the responsibilities of Public Authorities under the RTI Act, 05?
22. Should there be any remuneration for officers functioning as PIO/APIO or AA?
23. Can PIO prefer an appeal against the AA in SIC?
24. Under what circumstances the Public Authority have the right to appeal under the Act?
25. What is the ramification of Section 2(m) of the RTI Act 2005?
26. What is the outer time limit for giving Third Party information?
27. What is the interpretation of Section 19(9) of the RTI Act 2005?
28. Why are various courts entertaining suits against RTI orders despite bar of jurisdiction of courts as per section 23 of the RTI Act 2005?
29. If application under RTI Act 2005 is received through electronic means by the PIO, how much time further should PIO wait for the receipt of application fee?
30. What is the meaning of “substantially financed” in section 2(h) (d) (i) (ii)?