

# Workbook & Trainer's guide

For

## Drive Against Bribe Campaign

Using

### RIGHT TO INFORMATION ACT

As a Volunteer I pledge that

" I will never pay any bribe. I will rather use RTI."

As citizens of this democracy, you are the rulers and the ruled, the lawgivers and the law-abiding, the

(General instructions for the trainers: Please try and make sessions participatory.)

Introductions of trainer and participants - Each participant and the trainer introduce themselves. Their names, area and organization, if any, to which they belong.

Objectives of the Campaign- It is an anti-bribery campaign. People have to pay bribes in their daily interaction with Government Departments - be it getting a passport or a ration card or a license or an income tax refund etc. Everyone has to either pay a bribe or face harassment. Sometimes, even if a bribe is not directly asked, still your work is not done because of laziness or simple bureaucratic delay. What does one do in such a situation? So far people were helpless. They could only curse the system and do nothing. Each one of us when faced in a similar situation wondered whether there would ever be a time when our country would get rid of this curse of bribery. Maybe that time has come. Now we need not pay a bribe in such a situation. We have Right to Information Act which gets the work done. You are going to be a part of this campaign which is about helping people in getting their work done without facing bribery or harassment using Right to Information.

Therefore, you are going to be a part of a historic campaign. Since many important media houses are involved and it is a huge national campaign, it is important that we learn the issue well so that we are able to help people properly. If you make a mistake in helping people and if they do not get relief, he/she would lose faith in such a powerful tool. So, please understand everything carefully today.

(Instructions for trainer. Ask the participants, "What is Right to Information?" and let there be a response from some of them before proceeding.)

What is Right to Information?

(Some participant to read it out loudly) Right to Information is a fundamental right under Article 19(1) of the Constitution. Article 19 (1) says that every citizen has freedom of speech and expression. As early as in 1976, the Supreme Court said in the case of Raj Narain vs State of UP, that people cannot speak or express themselves unless they know. Therefore, right to information is embedded in article 19 and is a fundamental right. In the same case, Supreme Court further said that India is a democracy. People are the masters. Therefore, the masters have a right to know how the governments, meant to serve them, are functioning. Further, every citizen pays taxes. The citizens therefore. have a right to know how their money was being spent. These three principles were laid down by the Supreme Court while saying that RTI is a fundamental right of the people of India.

If RTI is a fundamental right, then why do we need an Act?

(Some participant to read it out loudly) This is because if you went to any Government Department and told the officer there, "RTI is my fundamental right, and that I am the master of this country. Therefore, please show me all your files", he would not do that. In all probability, he would throw you out of his room. Therefore, we need a machinery or a process through which we can exercise this fundamental right. Right to Information Act 2005, which became effective on 13<sup>th</sup> October 2005, provides that machinery. It lays down the process on how to apply for information, where to apply, how much fees etc.

(Any questions from participants?)

Important provisions of RTI Act 2005:

(Some participant to read it out loudly) Right to Information Act 2005 empowers every citizen to

- o Ask any questions from the Government or seek any information
- o Take copies of any government documents
- o Inspect any government documents.

One or more officers in every Government Department have been designated as Public Information Officers (PIO). These are the nodal officers, who are supposed to accept any application under RTI, collect information from that Department and provide it to the applicant. If the desired information is not provided within 30 days of application or if the information provided is incomplete, the concerned officer becomes liable for a penalty of Rs 250 per day of default upto a maximum of Rs 25,000 per application. And if wrong information is provided, a penalty upto a maximum of Rs 25,000 can be imposed on the officer.

Read sec 2(f), 2(j), 4(1)(d), 5(1), 5(2), 6, 7, 8, 9, 10, 11, briefly explain State IC and CIC, 18, 19, 20, 22 of the RTI Act and discuss in detail. These are the most important sections. But if you wish to use RTI frequently in your life, you must carefully read the entire Act in detail later.

Read all the rules (both Central rules and rules of your state) in detail.

Also, discuss the composition of CIC and State IC

How has RTI Act been used? Some instances:

Before this law was enacted, similar laws existed in 9 states. In the last few years, people have used RTI in several ways.

**Some instances:**

*(One participant to read one case loudly)*

- Uday is a software engineer. He saw that the Outer Ring Road from IIT flyover to Panchsheel flyover was made last February and it came off within 10 days. He applied for inspection of files, inspection of road and sample of material used in the road. Two days before he was called for inspection, the entire road was relaid.
- Triveni is a matriculate. She was shocked to discover that her ration shopkeeper was siphoning off rations meant for her by making false thumb impressions on cash memos in her name. Actually, she didn't receive any grains for the last six months. Whenever she would go to the shop, the shop would either be closed or the shopkeeper would say that there was no stock. Triveni is a poor woman, who lives in a slum colony in East Delhi. She holds an Antyodaya card issued by the government to the poorest of the poor. However, it isn't easy to get ration from a ration shop. In February 2003, Triveni filed an application under the Right to Information Act asking for the quantity of ration issued to her as per records and also copies of cash memos purported to have been issued to her. After a month, she received a reply stating that she had been issued 25 Kgs of wheat @ Rs 2 per Kg and 10 Kgs of rice @ Rs 3 per Kg every month in the last three months. The cash memos showed thumb impressions having been made in her name. She is a literate woman. She never puts thumb but always signs. Naturally, the thumb impressions do not belong to her but are fakes. This shows that the shopkeeper had been drawing her ration by faking thumb impressions in her name for the last so many months. Triveni was shocked. But now she was equipped with evidence to proceed against the shopkeeper. Before she could take any action, the shopkeeper came to her house and pleaded with her not to take any action and that he would mend his ways in future. Since then, Triveni is getting right amount of ration at the right price for the last year and a half.
- Nannu is a daily wage earner. He lives in Welcome .Mazdoor Colony, another slum habitation in East Delhi. He lost his ration card and applied for a duplicate one in January this year. He made several rounds of the local Food & Civil Supplies office for the next three months. But the clerks and officials would not even look at him, leave alone do his job or bother to tell him the status of his application. Ultimately, he filed an application under the Right to Information Act asking for the daily progress made on his application, names of the officials who were supposed to act on his application and what action would be taken against these officials. Within a week of filing application under Right to Information Act, he was visited by an inspector from the Food Department, who informed him that the card had been made and he could collect it from the office. When Nannu went to collect his card next day, he was given a very warm treatment by the Food &

*Supply Officer (FSO), who is the head of a Circle. The FSO offered him tea and requested him to withdraw his application under Right to Information, since his work had already been done my boss has sit beyond me wait for a reply .*

The focus of this campaign is only to address those issues through RTI, like that of Nannu, where someone has a legitimate pending work in any Government Department, but they are not doing it either due to some bureaucratic delay or an expectation of bribe. It has been the experience so far that such cases get resolved very fast through the use of RTI. This is being called an Anti-Bribery Campaign.

Have you in the past or anyone in your family had any work pending in any government office? Do you have any work pending in any Government Office today? If there is no such real life case, imagine any case where you have a pending work in any Government Department and they are not doing it. Please write it down on a note pad. (3 minutes)

#### Case Studies for Anti-Bribery Campaign

*(One participant to read out one story)*

1. Nannu's case - already discussed earlier.

2. Mrs Bakshi has a house in South Delhi. She rent a part of her house to someone, who was using it for commercial purposes. Therefore, a commercial water connection for that part of the house was taken. When the tenant vacated the house, she applied to Delhi Jal Board (DJB) for converting water connection back to domestic. She kept running around for several months. None listened to her. She was even told by some DJB men that the work would be done in no time if she paid a bribe. She refused. Her Neighbour, Saurav, one day told her about RTI and helped her in filing an application. She filed one and her job was done in the next few days.

3. Mr Sharma had to go to Germany. His daughter-in-law was expecting a baby. He needed a passport urgently. He applied for one. According to the rules, it should be made in 45 days. For six months he kept running around. But no one listened. When he finally applied under RTI, his passport was made in a weeks time.

4. Pabitra is a Chartered Accountant, who refuses to pay bribes. There was a tax refund due to his client. Despite repeated letters and running around for a year, nothing happened. Pabitra suggested to his client that an RTI application be filed. Client agreed. Refund was received within a few days of filing RTI.

What did these people ask? How did this magic happen?

Nannu asked the following questions in his RTI application: *(Some participant to read it out loudly)*

1. I filed an application for a duplicate ration card on 27<sup>th</sup> January 2004. Please tell me the progress made on my application so far. i.e. when did my application reach which officer, for how long did it stay with that officer and what did he/she do during that period?
2. According to the rules, my card should have been made in 10 days. However; it is more than three months now. Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?
3. Has any action been taken against these officials for not doing their work and for causing harassment to the public? If no action taken, by when would that action be taken?
4. By when would I get my card now?

In normal circumstances, such an application would be thrown in a dustbin. But this law says that the Government has to reply in 30 days. If they don't do that, their salary could be deducted. Now, it is not easy to answer these questions.

The first question is - please provide the progress made on my application.

There is no progress made. But the government officials cannot write in these many words that they have not acted for so many months. Else that would be admission of guilt on paper.

.....  
The next question is - please provide the names and designations of the officers who were supposed to take action on my application and who had not done so

:  
If the government provides names and designations of the officials, their responsibility gets fixed. Any officer is most scared of fixing of responsibility against him in this manner. So, the moment one files such an application, his/her pending work is done.

**What did Pabitra's client ask? He also asked similar questions: (Some participant to read it out loudly)**

1. The appellate Commissioner decided an appeal in my favor, which should result in refund of taxes to me. I have made written requests earlier for the same. Please tell me the progress made on my requests so far. i.e. when did my application reach which official, for how long did it stay with that official and what did he/she do during that period?
2. According to the rules, the appeal effect should have been given in 30 days. However, it is more than a year now. Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?
3. Has any action been taken action been be taken against these officials for not doing their work and for causing harassment to the public? If no action taken, by when would that action be taken?
4. By when would I get my refund now?

And within a few days of filing this\_IRT11-application, Pabitra's client got his refund.

**What did Mr Sharma ask? He asked the following questions from the Passport Officer: (Some participant to read it out loudly)**

1. I made an application for issue of a new passport (copy attached). Please tell me the progress made on my application so far. i.e. when did my application reach which officer, for how long did it stay with that officer and what did he/she do during that period?
2. According to the rules, my passport should have been made in 45 days. However, it is more than six months now. Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?
3. Has any action been taken action been be taken against these officials for not doing their work and for causing harassment to the public? If no action taken, by when would that action be taken?
4. By when would I get my passport now?

And he got his passport within the next few days.

**What did Mrs Bakshi ask? (Some participant to read it out loudly)**

- a) I made an application for conversion of commercial connection to domestic on ..... Please tell me the progress made on my application so far. i.e. when did my application reach which officer, for how long did it stay with that officer and what did he/she do during that period?
- b) Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?
- c) By when will my work be done now?

**Let's apply our learning. What questions will you ask in the case that you noted on your note pad? Write it down on your pad (5 minutes)**

(Some participants to read out what they wrote. A small discussion on that)

Some people also ask the following information:

(Some participant to read out following questions loudly)

1. Please give me a list of all the applications/returns/petitions/grievances received, after my application/return/petition/grievance was received. The list should contain the following information:
  - a. Name of applicant/taxpayer/petitioner/aggrieved person
  - b. Receipt no
  - c. Date of application/return/petition/grievance
  - d. Date of disposal
2. Please give copy or print out of those portions of records, which contains details of receipt of the above applications/returns/petitions/grievances
3. Please give reasons for out of turn disposal of the applications/ returns/ petitions/ grievances, if any, which were received after me.
4. By when would vigilance enquiries be initiated in the above matter of out of turn disposal of applications/returns petitions/grievances, if any?

(A small discussion on the pros and cons of above questions)

If you put all these together you can make a letter that is an application under the Right to Information Act 2005.

**Finally draft RTI application:**

Samples of application for Nannu and Mr Sharma are given in Annexure 1. Please take a look at them. (Everyone to take a look at applications for about 3 minutes. Any questions?)

Before you can assist someone to draft a RTI requisition, you need to draft one yourself. Remember the case you noted down earlier.

First ascertain whether the concerned Department is a State Government Department or a Central Government Department. If you do not know, ask RTI expert present on the spot.

For Central Government Department, the RTI application has to be filed as a simple application on a plain piece of paper. For state government departments, some state governments have prescribed formats, which can be made on any plain paper. For Jharkhand State organizations, you have to use the specified format.

Now draft your RTI application- Take not more than 10 minutes. Please write on your note pad. Please feel free to add more questions or modify the above questions if you think that would make your application effective.

(Let any three applicants read out their applications. Let there be a discussion on their applications on whether these are correct or could be improved)

**The present Campaign**

RTI has been used in several ways by the people, like developmental works, rations, etc. However, the present campaign is about making an appeal to the people to stop paying any bribes for their works in Government Departments and to start using RTI instead. Therefore, the present campaign is limited to addressing only those issues of the people, wherein they have a pending legitimate work in any Government Department, either due to expectation of bribe, loss of a file, not being aware of rules or due to simple laziness of the concerned officials. The Campaign would start from 1<sup>st</sup> July. It will be a 15 day campaign. Some national and regional newspapers

and N Channels would partner. In these 15 days, the following message will be aggressively promoted through advertisements and various programs:

*"You need not pay bribes any more in this country. Now you have an effective alternative - Right to Information. Use RTI. Often, it works faster than bribes. "*

The people would be informed that if they want any help in using RTI, they could approach volunteers at *such and such* place in *such and such* city from 11.00 am to 7.00 pm during these 15 days - volunteers would be present at these addresses to provide on the spot assistance to the people. Therefore, we would need to have volunteers at as many places in the country as possible.

Assistance would also be provided to the people through a telephone help line and through e-mails.

What are the types of issues, which might come at the Campaign?

Wherever you have a legitimate work pending, you have filed all the documents, you have completed all formalities, you have a genuine case, which the official ought to do in his normal course of duty but is not doing either for expectation of bribe or merely laziness. We call it extortionist bribery. For instance,

- o Issue of passport
- o Issue of any type of license
- o Issue of various certificates like marriage certificate, death certificate, birth certificate, SC/ST certificate, OBC certificate etc
- o Inclusion of name in voters' list
- o Issue of voter ID card
- o Correction of water, electricity, telephone bills
- o Any legitimate problem with a department like change of faulty meter, providing new water or electricity connection, etc
- o Filing of FIR

**Pre-requisites before starting to draft an RTI application:**

- o Claiming various kinds of refunds or payments etc like tax refund, medical reimbursement, Provident Fund

So, as you saw that you are basically asking the status of your application in each of the situations. By doing so, their inefficiency gets exposed. But suppose you apply for your passport today and file your RTI application the next day. Then RTI application will not help. Because they will just get back to you and say that they are still processing it and are well within the time prescribed for that work. So, an RTI application can be filed only after the end of the time limit prescribed for that work. Normally, the Govt has prescribed time limits for most such works either in the form of some rules or in citizens' charters. For instance, an ordinary passport should be made within 45 days of application. A tatkal passport should be made within 10 days. The Income Tax Department normally takes about a year to send your Income Tax refund. Some more time limits are:

1. Passport: 45 days for a normal passport, 10 days for a tatkal passport
2. Income Tax refund: Give a year after filing your return. But 30 days for appeal effect or after making a rectification application. This is according to their citizens' charter.
3. Two months for a ration card.
4. 30 days in case of general grievances.

Every department will have its own time limits for different kinds of works. We cannot be expected to know all of them. Let us just remember the above few time limits. For cases other than the above types of cases, we should ask the applicant himself "How much is the time limit for disposal of such applications in the Government?" If he knows and tells you the time limit, ensure that the time limit is over before you attempt to make his RTI

application. Otherwise ask him to wait for the time limit to get over. But if he does not know the time limit, tell that the RTI would work only if the prescribed time limit is over. If he still wants us to make his RTI application, please do that.

### What will you actually have to do at the

When anyone approaches you, listen to his problem

1. If he simply wants to know more about RTI or wants to become a volunteer, please do not entertain him and send him to a separate set of volunteers in the hall specifically meant for this purpose.
2. Whether he/she is Below Poverty Line and whether there is proof in terms of the Ration Card etc. Then he won't need to deposit fee.
3. Enter his basic details in a register lying on your desk. The details are name, address, e-mail, phone nos, brief description of problem, name of Department, whether the application was finally filed.
4. Ascertain whether it is the type of case, where a legitimate work is pending in a Government Department, which the Government should have done in normal course. Ascertain whether it is the type of case which we are supposed to handle during the Campaign. If it is not, send him to the coordinator.
5. Find out whether it is a State or Central Government Department
6. Ascertain the time limit prescribed for that job. If no time limit known, go ahead and draft the RTI application but caution him that RTI will work only if the time limit is over.
7. You would not need to actually draft an RTI application. A draft application in the format enclosed would be available. You would just need to fill in the blanks. The basic questions are already there in the format. But if you think that asking some additional specific questions in that particular case might please write those questions also. (we will practice filling some such forms just now)
8. In filling up the draft application, you would need to fill in the details of the PIO. The applicant should preferably know the address of the office where the work is to pending. Lists of MCGM, and Police PIOs will be available. But we should practice on how to use this list during training sessions also.
9. You should then ask the applicant to attach a copy of his grievance petition or his application submitted to that Department.

#### 10. Important tips:

- a. Suppose he/she does not have a receipted copy of application. Ask the applicant to attach the copy of application submitted even if it is not a receipted copy. If he/she does not even have a copy of the application, then please mention the date (if he/she remembers it or the month) when the application was submitted. But tell the applicant that this fact could become the reason for not getting good results. In that case, please advise him/her to submit another grievance petition separately in addition to the RTI application. Ask him to take a receipted copy of application this time. This would enable him to file an RTI after a few days.
- b. Several people would come and tell their problems. But they would not have filed any application or any grievance petition. They would simply ask you to solve their problem through RTI. Ask them to first file a proper grievance petition or an application. For instance, someone comes and says that he has got an inflated electricity bill. What should he do? He has not filed any grievance application so far for the rectification of the same. Ask him to first file an application to the electricity department requesting them to solve your problem. Then he should wait for a few days. When the work is not done on his application in the next few days, that he should file RTI
- c. Please remember. We should entertain only those cases where there is some application or a grievance petition or some such work pending This entire campaign is about asking for the status of progress of that work using RTI.

**Now let us practice drafting applications for the following case studies. In addition to the 8 questions already discussed, please feel free to add more questions at the end of the application, to make it sharper and more effective. We are giving the format for Maharashtra Govt. Organisations; there is no specified format for Central Govt. bodies; it might however be useful to use the Maharashtra Format :**

You have a faulty electricity/water meter in your house/building. But the authorities are not replacing it despite repeated requests. Please make the applications



Two streams:

Fee payable by cash at office or by Court fee stamps.

PIO 10/

First appeal (within 30 days of order or 60 days of application) 20/

Second appeal( within 90 days of order or 120 days of appeal) 20

Information Commission's address: 13<sup>h</sup> Floor, New administrative Bldg. Opp. Mantralaya, Mumabi 400032.

1. Central Govt. bodies: Fee

Fee payable by cash at office or at designated Post offices.

PIO 10/

First appeal (within 30 days of order or 60 days of application)

Second appeal( within 90 days of order or 120 days of appeal)

Central Information Commission's address: Block IV; Old JNU Campus, New Delhi 110067

Appendix A (see Rule 3)

Affix Rs. 10 Court fee stamp

To

The Public Information Officer,

( Designation and address of the concerned office)

(1) Full name of Applicant: (Only individual Citizens; NO ORGANISATION)

(2) Address: (Any address where mail can be sent to applicant)

(3) Particulars of Information required:

(i) Subject matter of information: Replacing faulty meter

(ii) The period to which information relates: Current.

(iii) Description of Information required:

I had made an application for the following reason (copy of application is attached) but no satisfactory action has been taken on my application so far. Please provide the following information with respect to the same:

a) Please indicate the progress made on my application so far. i.e. when did my application reach which officer, for how long did it stay with that officer and what did he/she do during that period?

b) Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?

c) Has any action been taken against these officials for not doing their work, and for causing harassment to the public? If no action taken, by when would that action be taken? By when would my work be done now?

(iv) Whether information is required by post or in person

(v) In case by post: Ordinary, registered or Speed post):

(4.) Whether applicant is below poverty line: -

(if so attach photocopy of below poverty line card.

Signature of applicant.

*(Discuss if anyone had a problem in filling up the application. Let one of the participants read out filled blanks and ask others to compare. Has anyone added new questions? Discuss the same and whether they are good/ bad?)*

**Next application:**

You made a complaint to the police but they are not registering FIR. Please make the following application:

Appendix A (see Rule 3)

Affix Rs. 10 Court fee stamp

To

The Public Information Officer,

( ----Police station, and address of the concerned office)

(1) Full name of Applicant: (Only individual Citizens; NO ORGANISATION) (2)

Address: (Any address where mail can be sent to applicant)

(3) Particulars of Information required:

(i) Subject matter of information: Regarding filing of FIR.

(ii) The period to which information relates: Current.

(iii) Description of Information required:

I had made an application for the following reason (copy of application is attached) but no satisfactory action has been taken on my application so far. Please provide the following information with respect to the same:

a) Please indicate the progress made on my application so far. i.e. when did my application reach which officer, for how long did it stay with that officer and what did he/she do during that period?

b) Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?

c) Has any action been taken against these officials for not doing their work and for causing harassment to the public? If no action taken, by when would that action be taken? By when would my work be done now?

(iv) Whether information is required by post or in person.

(v) In case by post: Ordinary, Registered or Speed post:

(4) Whether the applicant is below the Poverty line:

(If yes, attach the photocopy of the proof thereof)

Place:

Date:

Signature of Applicant

*(Discuss if anyone had a problem in filling up the application. Let one of the participants read out filled blanks and ask others to compare. Has anyone added new questions? Discuss the same and whether they are good/bad?)*

You want to know balance in Your PF account. You have retired and want to claim your PF but the authorities are not responding to your letters. Please make the following application:

To

The PIO,

PF Commissioner,

Address.

(1) Full name of Applicant: (Only individual Citizens; NO ORGANISATION) (2) Address: (Any address where mail can be sent to applicant)  
(3) Particulars of Information required:

(i) Subject matter of information: Regarding filing of FIR. (ii) The period to which information relates: Current.

(iii) Description of Information required:

I had made an application for the following reason (copy of application is attached) but no satisfactory action has been taken on my application so far. Please provide the following information with respect to the same:

- a) Please indicate the daily progress made on my application so far. i.e. when did my application reach which officer, for how long did it stay with that officer and what did he/she do during that period?
- b) Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?
- c) What action would be taken against these officials for not doing their work and for causing harassment to the public? By when would that action be taken?
- d) By when would my work be done now?

*e) Please give me a list of all the applications/returns/petitions/grievances received, after my application/return/petition/grievance was received. The list should contain the following information. - •*

- *Name of applicant/taxpayer/petitioner/laggrieved person*

- *Receipt no*
- *Date of application return Petition / grievance*
- *Date of disposal*

1.. *Please give copy or print out of those portions of records. which contains details of receipt of the above applications/returns/petitions/grievances*

2. *Please give reasons for out of turn disposal of the applications returns/petitions/grievances, if any, which were received after me.*

3. *By when would vigilance enquiries be initiated in the above matter of out of turn disposal of applications / returns petition / grievances, if any?*

(iv) Whether information is required by post or in person. (v) In case by post: Ordinary, Registered or Speed post: (4) Whether the applicant is below the Poverty line:

(if yes, attach the photocopy of the proof thereof) Place:

Date:

Signature of Applicant

e) Optional

Pros: It makes the PIO reveal documentary evidence of arbitrary. corrupt working.

Cons: It will increase the cost of information, and might make the department dig in to deny information.

*(Discuss if anyone had a problem in filling up the application. Let one of the participants read out filled blanks and ask others to compare. Has anyone added new questions? Discuss the same and whether they are good/bad?)*

**Deposit fee and submit an application:**

Having made the application, the fee has to be deposited and the application has to be submitted. For a Central Government Department, some post offices have been designated as Assistant Public Information Offices (APIOs) to accept RTI applications for all Central Government Departments. There would be a banner giving details of the nearest post office which would accept applications. The volunteers should request the applicants to read that banner.

For State Departments, every state has made its own rules. Fee for Maharashtra Govt. bodies is acceptable by affixing Ten rupee Court fee stamps. Having completed the application and taken stamps or postal order for equivalent amount, the applicant may now send his application to the PIO by post or in person.

1. Imagine one of you is manning a counter and the other approaches you with a case.
2. Others will be observe. Enter the observation sheet below.
3. This will be clone three times with different Volunteers.
4. Also, in each case, draft applications in the standard format given below.
5. The following material should be present at the counter: A register for noting down the details of each applicant, standard RTI application forms and pamphlets.

Role Plays

<u>Observation Sheet- Role Play 1</u>	
What went well?	
-	
What can be improved?	

<u>Observation Sheet-Role Play 2</u>	
What went well?	
What can be	

Some Practical tips:

First think of which department is involved with the work. Try and find the address of the department. Address the application to 'The Public information Officer' at that location and address. If you have difficulty in thinking of which office will be responsible, think of the higher authorities in the organization structure and file your application to the Public information officer of the higher authority; Eg. If you cannot think of which PIO you should send your application to in the Police department, send it to the Public Information Officer of the highest authority, viz. 'Public Information Officer, Police Commissioner of Mumbai' -for Mumbai; or ' Public Information Officer, Director General of Maharashtra,' for queries relating to the rest of Maharashtra. Even if by chance you address the RTI application to say 'PIO, MMRDA' and the work relates to MCGM, the PIO of MMRDA will have to send it to the appropriate PIO at MCGM within five days. The PIO of MCGM will again have 30 days to reply. If the PIO returns your application, it is illegal and contravenes Section 6 (3) of the Act. In such a case a complaint may be filed with the Information Commissioner. If in 30 days, the PIO does not reply, or rejects the application without adequate reason, we have to appeal to the Appellate Authority- who is an officer senior to the PIO in the same organization. For Maharashtra the fee payable for appeals is Rs.20 and there is a specified format. The appeal has to be filed within 30 days of receipt of order or 30 days of non-receipt; ie. Within 60 days of the application. Within 30 days, if the Appellate authority does not reply or gives a dissatisfactory reply one should file a Second appeal to `The Chief Information Commissioner, 13 Floor, New Administrative Building, Opp. Mantralaya, Mumbai 400032. The second appeal must be filed within 90 days. If the PIO refuses to accept the RTI application, it is an offence under Section 18 (1) (a), and a penalty can be levied on the PIO. In such cases, the simplest way is to send a RTI application by Registered AD. Additional fees for providing information: Rs. 2 per page for A4 size page.

No application fees for People below poverty line, who must attach a copy of their BPL card.

Workshops For First appeals: 10 th August, 2006; 6.OOpM at BCAs 19<sup>h</sup> August, 2006; 6.OOpM at ? 30<sup>h</sup> August, 2006; 6.OOpM at BCAs.

Workshop for Second appeal: In October-will be announced during the workshops for first appeal.

One way to look at how the RTI application moves:

	Days
1. Applicant files RTI application to Public Information Officer at an office of Govt. body personally or by Regd. Post	
Day on which application received by Office	1
A.2. P10 replies asking for payment of fees giving calculations say	20
30 day clock stops.	
3. Day on which payment is made	21
4. Information must be dispatched	30
B.	
2.P10 refuses to give information say	19
3. First appeal must be filed 19+30 days before	49
C. 1.P10 gives no reply in 30 days -deemed refusal	30

2. File an appeal stating that information is not provided, nor any reasons

for refusing it, as per the Act, hence ask the appellate authority to instruct the

to give the information and ask the Information Commission to Penalize the PIO Within 30 days of the lapse, ie. Within 30 + 30 daysw60 days of the application. Standard format: Mention the reference giving date, and copy if possible of original application or complaint. Then standard questions:

- 1.Please indicate the daily progress made on my application so far, i.e. when did my application reach which officer, for how long did it stay with that officer and what did he/she do during that period?
- 2-Please give the names and designations of the officials who were supposed to take action on my application and who have not done so?
- 3.What action would be taken against these officials for not doing their work and for causing harassment to the public? By when would that action be taken'?
2. By when would my work be done now?