

Seamless flow of info will make RTI redundant

For a country that created the open data box solution for the world, India is yet to fully realise the potential of the RTI Act. The reason: it missed two very important objectives—proactive dissemination of information and a seamless inter-government network

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However, even today, RTI as a tool is being used largely by more equal amongst the equals—bureaucrats themselves, activists, lobby groups and those actively engaged in some campaign. It has rarely been used by common citizens to get information concerning their everyday issues.

This is because most of them do not know what to ask, whom to ask and how to ask. So, even when they ask, it is for basic information. More than two-third of those queries are for standard information, even rules that should have been available, either on a website or over the counter, if not through a notice board.

A reply to an RTI query, on the other hand, takes anywhere between three weeks to 30 days.

This is grossly inefficient, to say the least. But it is not what those drafting RTI Act had intended it to be. Knowing well that unless the information is available digitally, it would be a Herculean task to address these queries, the RTI Act had very clearly showed the way.

“Every public authority shall... maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated.”



Shyamanuja Das

This year (2015) marks the tenth anniversary of the introduction of the Right to Information (RTI) Act that was notified in June 2005. By now, all of us have witnessed the potential of the Act to keep a check on corruption and bring in accountability.

In short, technology was unambiguously and unequivocally identified as the tool that would make it possible. However, as we celebrate a decade of RTI in India, the technology component has barely found its place in the whole initiative. This makes it important to ask whether there is a network as mentioned in the Act itself, and if not, why it has not been implemented yet?

No charity at home....

India prides itself as being the technology nerve center of the world, and quite rightly so. However, very few might be aware that the country has a big hand in the open data wave that is sweeping across the world.

After the United States started its open data portal (data.gov) making government data available to the public, it encouraged other countries to do so. Incidentally the champion and architect of the same was an Indian, the first ever federal CIO of USA, Vivek Kundra and he was assisted by the country's chief technology officer, another Indian, Aneesh Chopra.

The call was supported by multilateral agencies, activists and think tanks across the world. While large countries had the resources and wherewithal to do that, many small countries clearly did not have it, even though they had the will. That is when the US—which was championing the cause—turned to India for help. India developed what is now known as “data.gov in a box” or “open data portal in a box”—a set of tools required to create open data portals using plug and play. Much of the open data initiatives by smaller countries today ride on that technology developed by India.

Yet, within India itself, the progress is far from satisfactory. No one needs to be convinced today that without digitisation and seamless sharing across a network, it's virtually impossible to handle the volume and variety of information generated by public agencies.

The gap lies in neglect in implementing one very important section in the RTI Act itself. Understanding very well that the true power of information

could be realised by the citizens only when they were proactively given a lot of government information, Section 4 of the RTI Act—which also articulated the above mentioned sub-clause on computerisation—called for suo motu provision of information.

“It shall be a constant endeavor of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information,” the Act said. Unfortunately, this is one area that has not been implemented the way it should have been.

Prime minister Narendra Modi talks of three cornerstones of his principle of governance: accountability, transparency and efficiency. RTI, in its presently used form, brings in some amount of accountability, at the cost of efficiency. Transparency is, by and large, absent. Implementation of this suo motu provision of information, will be that booster shot which will bring in transparency and yes, efficiency as well.

This is how it will work. Very often we hear the government officials complaining of the time “wasted” on replying to RTI queries, especially when many people ask for the same information. RTI rules mandate that the individual filing the query must be replied to. In short, there is a lot of duplication

of time and energy. That is clearly lack of efficiency.

The point is valid. While the citizen's right to information is sacrosanct in a democracy, wasting precious government time in a country with myriad challenges is not the best way to ensure that. This is what suo motu sharing of information will minimise.

The journey so far...

It is not that India has not taken steps to ensure flow of government data and implementation of the RTI. Since the RTI Act was notified in 2005, the government has taken a number of decisions to make the departments go for suo motu provisions of information. In May 2011, the government constituted a task force that included representatives of civil society organisations active in the field of RTI for strengthening compliance with provisions for suo motu or proactive disclosure. Based on the report of the task force, the government issued, in April 2013, a fairly detailed guideline for suo motu disclosure under section 4 of the RTI Act.

The guidelines even explicitly referred to a few areas where a lot of RTI queries were being filed. One such area was official tours undertaken by ministers or officials of various government ministries and departments. The guidelines clearly asked to publish information on “foreign and domestic official tours undertaken by the minister(s) and officials of the rank of joint secretary to the government of India and above and heads of departments, since 1st January, 2012” and those “to be updated once every quarter”.

One can easily verify how much of that has been implemented by visiting the websites of the ministries.

One of the major reasons why there are not too many RTI queries from common citizens is that few know who takes what decision within the government; it is an opaque black box. Recognising this, the guidelines mentioned that “the decision-making chain should be identified in the form of a flow chart explaining the rank/grade of the public functionaries involved in

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Open Government Platform (OGPL)



As part of the global Open Governance Partnership, India agreed to create a low cost and simple solution that would allow countries world over to easily launch and operate open data portals.

Though India dropped from the Partnership before the launch of the initiative in September 2011, owing to a clause that called for outsider audit, it did keep its technology commitment to create the solution, called Open Government Platform (OGPL).

On 30 March 2012, the toolbox, called data.gov-in-a-box was launched in New Delhi. This had all that was required to launch and run the open data portal. The solution has six modules.

- ✓ Open Government Data Portal: Citizen Interface of the open government platform.
- ✓ Data Management System: Facilitates agencies to upload datasets through the predefined workflow.
- ✓ Content Management System: Module for managing and updating various functionalities of the OGPL.
- ✓ Visitor Relationship Management: Module for collating and

- disseminating viewer feedback on various datasets.
- ✓ Community Module: Facilitates platform for interaction and knowledge sharing. Citizens with specific interest can build communities and discuss online.
- ✓ Visualisation Module: Facilitates a simple interface to analyse different aspects of datasets through graphs and charts.

The key features of the solution include:

- ✓ Publish government data, documents, and processes from multiple departments within the government.
- ✓ Workflow based process for submission, approval and management of datasets.
- ✓ Avail Cloud/Host/Service based operation with the ability to link data from federal, central, state, district, municipal and local levels.
- ✓ Utilise Web 2.0 open-source technologies to develop low-cost, cloud-based infrastructure.
- ✓ Engage citizens with open data based applications and services to improve their lives.
- ✓ Create data-rich community spaces around topics of national priorities and international interest.
- ✓ Empower end-users to share data via social media platforms such as Facebook and Twitter.
- ✓ Provides publicly available application programming interfaces (APIs) and other tools for data visualisation with sanitised data.
- ✓ In future, it plans to provide open APIs to add external modules to data visualization.

the decision-making process and the specific stages in the decision-making hierarchy.”

This could have been a very powerful tool towards bringing in accountability and transparency. But it is hardly implemented.

To make government data available to the public at large, in March 2012, the government also notified the national data sharing and access policy (NDSAP). The objective of the policy was to “facilitate the access to government of India owned shareable data and information in both human readable and machine readable forms through a network all over the country in a proactive and periodically updatable manner, within the framework of various related policies, Acts and rules of government of

India, thereby permitting a wider accessibility and use of public data and information.”

Later that year, the government, on the lines of US data.gov, launched data.gov.in—a single data portal for easily accessing all government information and data. After more than two years, only some departments have contributed their datasets and only a handful are really active. NIC, which runs the site, goes after the departments asking for those datasets, which should have been in their respective sites, in the first place, had they implemented the policy in letter and spirit.

But since there was no monitoring mechanism in place, few had taken it seriously. The first policy intervention of the Modi government in this area tries to address just that. In November

2014, the government announced a committee to formulate a mechanism to monitor compliance of suo motu disclosure provisions in RTI.

This should be followed by creating that information sharing network, create a time-bound plan for implementing the milestones and using technology—if required in public private partnership, as identified by the task force set up in 2011—make the information travel to the true owners of that information, the common citizens.

Logically, if done rightly, RTI itself would become quite redundant. ■

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