



ICT for Right to Information Act in Collector Office Nanded

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ABSTRACT

The paper is based on the project that has been done for the Collector's Office Nanded. Often many citizens they come to the office to know some information related to their files pending with Collector Office or in some cases they want information of a file for their grievances / court cases. In such cases the file has to be traced for exact location and department with whom it is pending. To improve Collector Office services and to bring transparency in Administration Right to Information act is an effective tool. Right to Information Act is an Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority. This empowers the common man to get information that he desires. The act was already in effect since State Government has passed the resolution but now Central Government has made a full act and it is not implemented through the country. This paper is an attempt to introduce ICT in RTI 2005 so that a common man can at least get a glimpse of the act. In order to achieve this a KIOSK was installed at the entrance of Collector Office Nanded and customized software was developed for the common man so as to enable him to see the status of any file and pending with authorities and details thereupon. With help of KIOSK (touch screen) the arrangement was done that any person seeking some information can approach to he touch screen and get the information in nutshell. As it is observed that KIOSK are easy to handle and a layman can use it effectively practical example of such experiments are Railway Stations, Airports, and Bank. Installing touch screen for such purposes is a first attempt in the State and the experiment is successful and it can be replicated anywhere in the state.

Keywords: Information and Communication Technology (ICT), Right To Information (RTI) Act, E-Governance, District Administration, File Monitoring System (FMS), KIOSK, Public Sector Unit (PSU)

1. Introduction

The District Collector Office is the apex office in a District and District Collector heads it. This office deals with revenue, law and order and plays instrumental role in implementing important schemes of State Government. The District Collector is in charge of the Revenue administration and pivot on which the District Administration turns. Not only he is the head of revenue department in the district but also, in so far as the needs and exigencies of the District Administration are concerned, he is expected to superintend the working of the offices of other departments. In the year 2004 a new experiment was carried out in order

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to implement the Right to Information Act 2005 partially by introducing Information Technology to get status and brief information about a file lying in Collector Office Nanded.

2. Right to Information Act (RTI 2005)

2.1 Introduction to RTI 2005

An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

"Right to information" means the right to information accessible under this Act, which is held by or under the control of any public authority and includes the right to-

- Inspection of work, documents, records;
- Taking notes extracts or certified copies of documents or records;
- Taking certified samples of material;
- Obtaining information in the form of diskettes, floppies, tapes, and videocassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device

2.2 Request for obtaining information.

- i) A person, who desires to obtain any information under this Act, shall make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is being made, accompanying such fee as may be prescribed, to-
 - The Central Public Information Officer or State Public Information Officer, as the case may be, of the concerned public authority;
 - The Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be, Specifying the particulars of the information sought by him or her: Provided that where such request cannot be made in writing, the Central Public Information Officer or State Public Information Officer, as the case may be, shall render all reasonable assistance to the person making the request orally to reduce the same in writing.
- ii) An applicant-making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.
- iii) Where an application is made to a public authority requesting for an information-
 - Which is held by another public authority; or
 - The subject matter of which is more closely connected with the functions of another public authority, The public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer: Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

2.3 Disposal of request

Disposal of requests made under RTI 2005 has many folds

- i) Subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer or State Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9: Provided that

where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.

- ii) If the Central Public Information Officer or State Public Information Officer, as the case may be, fails to give decision on the request for information within the period specified, the Central Public Information Officer or State Public Information Officer, as the case may be, shall be deemed to have refused the request.
- iii) Where a decision is taken to provide the information on payment of any further fee representing the cost of providing the information, the Central Public Information Officer or State Public Information Officer, as the case may be, shall send intimation to the person making the request, giving-
 - The details of further fees representing the cost of providing the information as determined by him, together with the calculations made to arrive at the amount in accordance with fee prescribed under sub-section (1), requesting him to deposit that fees, and the period intervening between the dispatch of the said intimation and payment of fees shall be excluded for the purpose of calculating the period of thirty days referred to in that sub-section;
 - Information concerning his or her right with respect to review the decision as to the amount of fees charged or the form of access provided, including the particulars of the appellate authority, time limit, process and any other forms.
- iv) Where access to the record or a part thereof is required to be provided under this Act and the person to whom access is to be provided is sensorial disabled, the Central Public Information Officer or State Public Information Officer, as the case may be, shall provide assistance to enable access to the information, including providing such assistance as may be appropriate for the inspection.
- v) Where access to information is to be provided in the printed or in any electronic format, the applicant shall, subject to the provisions of sub-section (6), pay such fee as may be prescribed: Provided that the fee prescribed under sub-section (1) of section 6 and sub-sections (1) and (5) of section 7 shall be reasonable and no such fee shall be charged from the persons who are of below poverty line as may be determined by the appropriate Government.
- vi) Notwithstanding anything contained in sub-section (5), the person-making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified in sub-section (1).
- vii) Before taking any decision under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall take into consideration the representation made by a third party under section 11.
- viii) Where a request has been rejected under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall communicate to the person making the request,-
 - The reasons for such rejection;
 - The period within which an appeal against such rejection may be preferred; and
 - The particulars of the appellate authority.
 - An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

2.4 Exemption from disclosure of information

- i) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen, -
 - (a) Information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence;

- (b) Information 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;
 - (c) Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;
 - (d) Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;
 - (e) Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;
 - (f) Information received in confidence from foreign Government;
 - (g) Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;
 - (h) Information, which would impede the process of investigation or apprehension or prosecution of offenders;
 - (i) Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers: Provided that the decisions of Council of Ministers, the reasons thereof, and the material on the basis of which the decisions were taken shall be made public after the decision has been taken, and the matter is complete, or over: Provided further that those matters, which come under the exemptions specified in this section, shall not be disclosed;
 - (j) Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information: Provided that the information, which cannot be denied to the Parliament or a State Legislature, shall not be denied to any person.
- ii) Notwithstanding anything in the Official Secrets Act, 1923 (19 of 1923) nor any of the exemptions permissible in accordance with sub-section (1), a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.
 - iii) Subject to the provisions of clauses (a), (c) and (i) of sub-section (1), any information relating to any occurrence, event or matter which has taken place, occurred or happened twenty years before the date on which any request is made under section 6 shall be provided to any person making a request under that section: Provided that where any question arises as to the date from which the said period of twenty years has to be computed, the decision of the Central Government shall be final, subject to the usual appeals provided for in this Act.

2.5 Penalty Clause of the AC

Penalties: (1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees. Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him.

3. The role of ICT in Governance Sphere

Now a days Information and Communications Technology (ICT) becomes buzzword for growing developmental organizations. Even the word is now quite familiar in Government sector. Majority of Government / semi Government sector are keen to adopt ICT in their working environment, we would expect to see greater amounts of ICT applications taking place. One of the key drivers to spread the informatics culture is personal computer, laptop and kiosks (touch screen). Improvement in quality of governance products and services being currently observed in all departments that can be achieved considering following points

- Enhance participation of people in choice & provision of governance products & services
- Bring new sections of society under the governance sphere (including those who are most likeable to remain excluded - namely the poor, the illiterate, the differently able, indigenous people, the migrants and displaced people) One of major advantage of ICT can be listed out as:
 - Boost service activity to empower common citizen.
 - Create more opportunities for GOOD Governance.
 - Cut costs and curtail excess expenditure.
 - Bring more transparency in the working environment.

4. ICT for Good Governance

Recently the terms "governance" and "good governance" are being increasingly used in development literature. Bad governance is being increasingly regarded as one of the root causes of all evil within our societies. Major donors and international financial institutions are increasingly basing their aid and loans on the condition that reforms that ensure "good governance" are undertaken. The concept of "governance" is not new. It is as old as human civilization. Simply put "governance" means: the process of decision-making and the process by which decisions are implemented (or not implemented). Governance can be used in several contexts such as corporate governance, international governance, national governance and local governance. Good governance has 8 major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society. To achieve above 8 characteristics there should be constant efforts on all level and tools to maintain the characteristics too. ICT can be one of major tool with which one can fight with corruption, under table dealings and dillydally accounts. ICT brings Transparency; it helps to increase productivity, good response to applicants and assurance of time management.

5. Experimenting File Monitoring System (FMS)

The experiment was done according to steps described below

5.1 Pre feasibility Study

Upon the decision from District Administration to implement the act with help of ICT it was decided to carry out the feasibility study of project. Over a series of discussion with officials and staff it was decided to develop a File Monitoring System (FMS). The mechanism was that once the data entered in the file should be made available to the common citizen. All the activities were separate out and it was decided to build 3 modules as:

- File Monitoring System
- FMS Messenger (Monitoring and forwarding of file at Officer level)
- Touch Screen Software (KIOSK) to empower citizen for Information

With above scope it was decided to start the system design and analysis and procurement process of KIOSK (touch screen) was started with help of Administration.

5.2 System Analysis and Design

After the feasibility survey the actual analysis and design work was carried out and basic structure was designed. The operating platform was decided as VB6 and SQL SERVER 2000 in backend. To develop KIOSK application it was needed to develop backend software where the required data can be entered as explained in section 3.2. For the KIOSK application the design categorically divided in to 4 sub modules named as:

- Information of a File in any branch
- Information of Developmental works under MP/MLA funds
- Information by computerized token number (like PNR of railway ticket)
- Approval of Works under Employment Guarantee Scheme

The design document includes features of security by introducing passwords and various reports required by the staff. The general flow of system or blue print is as shown below

5.3 General Flow of System

Figure-1 shows the schematic view of Touch screen. The mechanism is that the common man can view status of his/her file if he approaches to the touch screen. Since he can get information about the status of file and with whom the file is pending or what remark/objection has been given by the concern staff/Officer. If he desires then he can directly approach to the authorities for delays / objections if any.

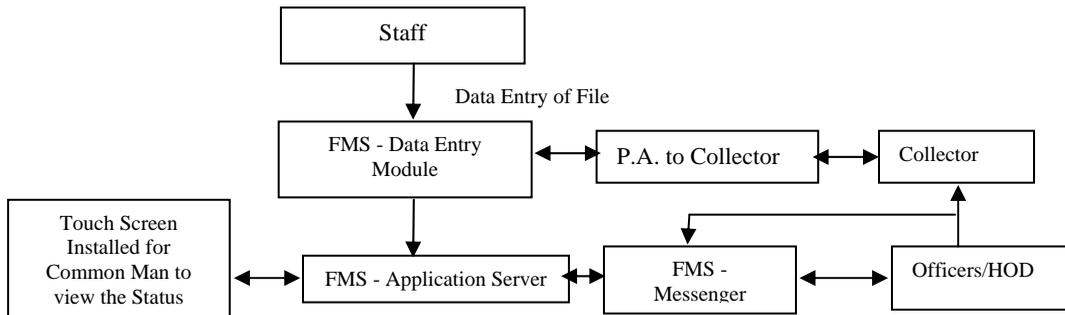


Figure 1: Data Flow Diagram of FMS

5.4 Development of the System and implementation

The software was developed as per the specifications laid down by District Collector and was implemented accordingly. The sample code for the software has been given in the section 3.3. Now any common man whose file is lying with Collectorate can approach to the KIOSK and get the details in nutshell and if desired further can obtain the information of file by applying to the authority under RTI2005. Various modules in FMS are shown in Figure-2.

6. Backend operations of KIOSK

6.1 File Monitoring System

As introduced earlier the back end operations for KIOSK are very much important, as unless the data is entered the citizen will not get information on touch screen. The file monitoring system was developed to facilitate the staff for entering information of a file in nutshell. Basically the File Monitoring System is developed to monitor the developments taken in file, which has been originated from the table of a branch and moved to higher officials for further actions. Recently Government of Maharashtra has given instructions that all the files pending at various levels should move fast and no file should be kept pending on a table for more than 7 days, this software is a step towards this instructions issued by GOM. Basically FMS helps and assists to keep track of every file entered in software, retrieval of information in various

formats and make it available for the applicant / person coming to the Office. FMS helps to maintain data of three levels

- File originated at Table in a Branch
- File movement from Table to Desk
- File movement from Desk Office to HOD and back to branch

The major fields of the software are as:

- CR (compilation register) Number
- Subject of File
- Brief history / status of file up to 200 words
- The stage of file (with whom the file is lying)
- File year, number and date of opening.

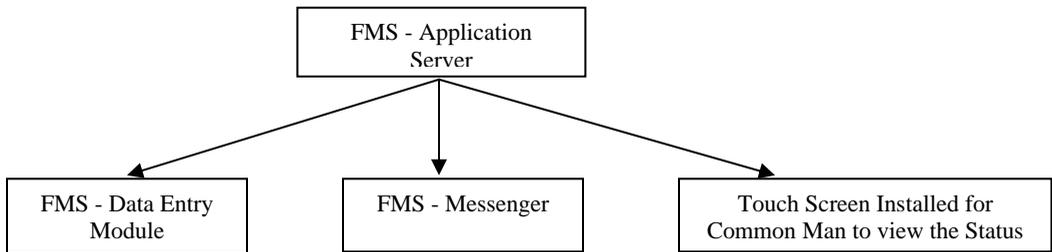


Figure 2: Various Modules in FMS

6.2 FMS Messenger

To support the software to more applications are developed namely, FMS Messenger and KIOSK for FMS. This tool has been developed for the Officers. They can clear / forward the files pending on his/her desk with help of this software.

7. Conclusion, Recommendations and Results

- The major outcome of the system was seen that the citizens got a feeling of commitment and transparency from the Administration. The citizens are approaching the KIOSK and can locate his/her file within a second by operating the KIOSK or taking help from the assisting to operate the touch screen.
- It is strongly recommended that digital contents must be used for information dissemination in every department, PSU's and those who comes under the purview of Right to Information Act. They must develop digital contents for development and for establishment of the act in their jurisdiction. Digital contents would be far easier for information dissemination than traditional practice.
- The result of the project within the organisation
 - The project has improved working culture in the office and brought discipline.
 - Automation in file status monitoring has brought self-discipline in the working staff.
 - Increase in efficiency and time more productive work.
 - The project helped to spread informatics across the departments.
- The result of the project Out Side the organisation
 - The common man can now approach to the touch screen to get status of his pending file with a brief details.
 - Physical journey from desk to desk is saved.
 - Building confidence amongst citizens

- Socio-economic Impact includes Trust of common man towards Government has been raised up to certain level and more transparent and timesaving solution for the citizen.

Statistics shows that ever since the touch screen is installed more than thousand of applicants approached to the touch screen to obtain status of their case pending in Collector Office apparently that much load is reduced on the staff else they have to entertain them and also it can be said that 1000+ citizens didn't approach to table clerk or Officer for knowing the status of file. The experiment proved that use of ICT is extremely useful in implementation of Right to Information ACT2005.

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