

'Right to Information Act' - A Legal tool against India's Cyber-divide!

Mohammad Haleem Khan spoke exclusively to Informatics on Right To Information Act and CIC's ICT initiatives to empower the citizen to avail information they so desired:

India the home of billion plus population, by many a count one of the cradles of civilization, the birth place of at least three world religions and one of the most varied socio cultural milieu right from her Independence from the colonial rule had the benefit of two sets of 'do-gooders':

- Those who believed that there is a lot of distance to be covered in the arena of Governance by way of improvement in processes and putting in place institutions and instruments of governance so that it makes the system more participatory, accountable as well as transparent; and
- Those who happened to internalize that the society is suffering from moral decadence and unless the character, sense of belonging (patriotism) and moral values amongst the masses are persevered for their enhancement the inexorable decline is unlikely to be arrested and the utopia of 'Ram Rajya' which is rightfully India's destiny may be pushed farther and farther.

One may arguably say that but for the 73rd and 74th amendment of the constitution, for much of the later part of eighties, almost whole of nineties and the roll out decade of much awaited 21st century, it has been the 2nd category of 'do-gooders' who have been calling the shots. These were coming from both streams: the traditionalists who gave modern interpretation to religious thought and practices to solve problems of

governance and the modernists armed with the business management education with foreign degrees from ivy league colleges who presented concepts of 'behavioral sciences' and 'transactional analysis' and 'feel good' research and theories in a religious and philosophical cum metaphysical format. If one looks into the content of what is being purveyed as entertainment on TV and the mushroom growth of religion and culture based channels it may not require much convincing for being on board that the immense reach of audiovisual media has provided centre stage and an enviable proliferation of the second type of 'do-gooders'. This burgeoning growth of the 2nd type of 'do-gooders' fed on itself for its survival and cancerous growth.

Constitutional Provision to Publish Information in Public Domain

The roll out of the 'Right to Information Act, 2005' is a singular and equally momentous culmination of the legislative initiative post 73rd and 74th amendment of the constitution from the stable of the first set of 'do-gooders'.

The 'Right to Information Act' exhorts (vide section 4): -

4. (1) every public authority shall - maintain all its records duly catalogued and indexed in a manner



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and the form which facilitates the **right to information** under this Act and ensure that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated;

Read the above in the light of the preamble of the Act: -with empathy and 'the propensity to excel' in human me, led me to find in the RTI Act a rare legal tool to galvanize efforts against the cyber-divide. With this psycho philosophical drive I took the plunge to make it work to achieve that end.

CIC's Objective and ICT Initiative

The Central Information Commission's trust with the computerization was fueled more out of compulsion before a new office

being established in these times of lean manpower provisions. Not being undertaken after a rigorous system analysis it had computerized patches of workflow with manual interfaces. It served well to begin with but as the public awareness increased the inflow of ***Complaint as well as Second Appeals*** increased and the data entry at the inflow stage emerged as a major bottleneck- crying for more and more man-hours and machines. Data entry operators being picked up randomly through the service provider their learning curve did not give much cause for being sanguine about the quality and consistency of data entry per se.

In a typical business, as usual, mode the requirement of data entry operators started ballooning. To break through this self-constricting dysfunctional situation a way of tackling things differently was very much called for. The alternative conceptualized was to provide for: -

- Word processing effort made at the end of appellants should get tapped and integrated into the Commission's workflow thus reducing the need of data entry at the Commission's end to bare minimum,
- The felt need of providing acknowledgement should be met with out it being a chore of burden and a stand alone additional act just to meet this requirement at the Commission's end,
- The appellant should get a unique identity number for his appeal almost instantaneously without any intervention at the Commission's end. Thus the uncertainty of his appeal reaching the Commission is reduced to zero,
- The unique identity number should empower the appellant to trace the progress in his case sitting in a cyber cafe/home,
- The subsequent filing of papers /documents should not suffer from the uncertainty of getting misplaced, and of course
- The overall cost saving to all by doing away with avoidable need for interaction, the related travel need and consequential saving of time.

To meet above objectives web based ***online filing of Complaint as well as 2nd appeal was conceived***. CIC approached NIC to transform the objective into a reality. In the step-by-step process probably the most daunting task (if it may be called one) for 'would be' Appellant was to reach either the Commission's web site or the National Portal of India. Once on the homepage the user-friendly interactive process was designed so as to provide

handholding comfort and adequate prompting to make it possible for a citizen sitting in any cyber café in the remotest corner of the world to file his complaint or 2nd appeal. Once the mandatory information was properly and adequately inputted the appellant was encouraged to check the document thus got generated for correctness and then take the print out. The 'click' to take the print out and simultaneously uploads his complaint/2nd appeal and generated unique ID. This ID, the appellant now had, becomes enough to locate the progress of his complaint/appeal subsequently. The appellant was only required to send the hard copy of his complaint/appeal thus printed out after putting in his signatures to make it a legal document.

At the Commission's end this meant lesser drudgery of 'data entry' after locating and harvesting the relevant information from the poorly drafted complaints/2nd appeals thus far being received only in hard copies. Add to this the element of empathy that goes into the word-processing by the complainant/appellant the quality of inputted data improved by leaps. The chances of 'garbage in garbage out' reduced to minimum. The wastage of time of the data entry operators in locating the relevant information from poorly drafted complaints/appeals also got saved for better use. The integration of data inputted by the complainant/appellant instantaneously into the workflow of the commission saved wasteful effort at both ends. It also improved the satisfaction level as the complainant/appellant can now watch the progress of the case instead of agonizing over whether his powers will be lost during diary.

The Case Study

A web-enabled workflow based software interface has been designed and developed on the popular platform of Nation Portal of India, to receive online Complaint and 2nd Appeal at CIC, as per the requirements set forth by the Commission. This software deployed over Internet and hence enables the Citizens and Commission to use it either from their residence or from a Cyber Café or elsewhere. This software would certainly not only empower willing citizens to file their appeals/complaints online, but also eliminate the manual feeding of data by the staff of the Commission except in those cases which are received by post/hand.

The software comprises of two components a) The Citizen Interface b) The Internal Workflow Interface. Both the modules are user-friendly with self-explanatory captions that without any formal training, anyone can use these modules.

a) **Citizen Interface:** This module facilitates the citizens to submit their Complaints and Second Appeals to CIC online. A citizen on the internet can visit the CIC's website (<http://www.cic.gov.in>) or alternatively the 'National Portal of India' (<http://india.gov.in>) and can fill the form provided and submit his/her complaint/appeal online. While generating a hard copy, system generates a unique registration-number, which, can also be used by the citizens for further correspondence. The Citizen Interface (<http://rti.india.gov.in>) has following functionalities for the citizen to use:

Direct Complaint:

- Submit Direct Complaint to CIC citizens
- Save a draft Complaint, update and Final submit as desired
- Track status of your Complaint already submitted

2nd Appeal:

- Submit Direct 2nd Appeal to CIC by citizen
- Save a draft 2nd Appeal, update and final submit as desired
- Track status of your 2nd Appeal already submitted

The state-of-the-art citizen centric, easy to use solution, based on the Open Platform, has been developed under the umbrella Portal of india.gov.in. Help as per RTI Act on "When to file a Complaint and When to file a 2nd Appeal" is also given.

b) **Internal Workflow Interface:** The Internal Workflow Module (<http://rtiadmin.nic.in>) is designed to cater to the processing of Complaints and 2nd Appeals received at CIC. All decisions adjudicated by the respective Commissioners and the actions taken by the respective officers/officials at different stages of the process flow of the appeals/complaints are being captured by the module. Each officer/official with the specific roles has been assigned an individual login-id and password to perform actions on the complaints/appeals dynamically allocated into their account depending on the Public Authorities assigned to the Commissioners. Following are functionalities available for the CIC to use:

- A total of 12 stage life cycle starting from scrutiny to consigning the file to record room"
- Auto note sheet generation for processing the case as well as auto letter creation while getting information from Public Authorities, on fixation of hearing date,

etc.

- Auto mail dispatch facilities for sending letters
- Role based activities have also been built into the system

The software inter-alia aims at transforming the system more proactive in disclosing the information at various levels of decision making process whereby the citizens can know the status of their complaints/ appeals online even from the remotest corner of the country. Also, the software would enable placing of various reports in the public domain, which, would in turn, reduce the volume of RTI-Requests received by the PIO of the Commission.

Vision and Prospects

In a billion plus population even if one RTI application is filed per thousand households (a household being presumed to be consisting of five citizens) the number of application comes to more than 200,000 (1,000,000,000 / 5000). Imagine the wasteful man-hours saved by tapping the word-processing/scanning /photocopying done by so many applicants into the workflow of a practical regime of Right to Information thus envisioned.

My 'vision' and 'mission' will get accomplished once:

- Every Village Panchayat gets one commercially viable Public Call Office (PCO) converted into an RTI savvy Cyber Café (RCC) with an NGO to hold hand and Micro Finance institution to fund a laptop/desktop.
- A citizen knows which PCO to call/visit to file his RTI application the RTI fee either paid with the cost of call or with the user charge for using the PCO-cum-RCC.
- The status of an RTI application is only an SMS away.
- The voluntary as well as mandatory disclosure is comprehensive enough to make it possible for PCO-cum-RCC to cull out necessary information and supply without many needing to file an RTI application.
- The records in the Public authorities are catalogued, indexed, computerized and *connected through a network all over the country on different systems so that access to such records is facilitated.*

I am sure even with this gain in transparency and consequent accountability towards the 'governed' and hopefully, the reduction in corruption there will be still enough left for the '2nd set of 'do-gooders' to remain in business of improving the moral fabric of the proverbial 'Babus' as our press prefers to anoint our civil service