



Regional Seminar
on

Right to Information

Jointly organized by

**MEDIA INFORMATION AND
COMMUNICATION CENTRE OF INDIA,
THE INTERNATIONAL CENTRE, GOA
And
FRIEDRICH EBERT STIFTUNG - INDIA**

**Venue:
Zuari Hall
The International Centre, Goa
Dona Paula, Goa, India**

29 – 30 June 2007

SEMINAR REPORT

The Right to Information movement is all set to sweep right across Goa soon. Saturday, 30 June saw the formation of a Goa RTI forum at the end of a two-day



regional seminar on the Right to Information jointly organised by Media Information and Communication Centre of India (MICCI), The International Centre, Goa (ICG) and Friedrich Ebert Stiftung - India (FES) at the International Centre at Dona Paula. Shri. Pratapsingh Rane, Hon. Speaker of the Goa Legislative Assembly and President, ICG set the right mood for citizens to ensure that they implement their right to information. He noted that RTI needs to be used

but not misused. Dr. Rajeshwar Dayal, Media Advisor of FES-India and Nandini Sahai, Director of MICCI highlighted the importance of the right to information and the power of RTI Act as a tool for ordinary citizens to try to overcome bureaucratic stonewalling and corrupt practices. A book titled 'Information on the Right to Information' authored by Shri. Anil Parulekar was presented to the Hon. Shri Rane, Ms. Sahai and Dr. Dayal by Brig. (Retd.) N H Braganza, GM, ICG. The book was for sale at the venue during the seminar and is now available at ICG Library.



The seminar attended by a number of activists, media persons, teachers, professors, corporate trainers and even creative persons from the advertising world saw thought provoking discussions and presentations on the use and challenges faced by the Act. Advocates Jamshed Mistry and Deval Patel from Mumbai who practice at the Bombay High Court shared the legal perspectives of the Act. Adv Mistry, who has done significant work in connection with the Goa State Plan for Differently Abled Persons together with the ICG, noted that RTI would be important armour in the lives of ordinary citizens of Goa.



Session on 'National RTI vs. Goa RTI: Was Goa RTI more pro-people?' was chaired by Adv. Jamshed Mistry while Prof. M Pinheiro and Shri. Anil Parulekar made their presentations at the session. Prof. Pinheiro while explaining the features of national RTI expressed that it is about time for government to recognize the significance of voluntary disclosure of information as lot of time which goes into processing RTI applications will be saved to. Mr. Parulekar provided insights

of the Goa RTI. Queries were raised regarding the 30 day limit for disposal of request under subsection (1) of section 7. It was clarified that unless it is clearly specified it has to be understood as 30 calendar days.

Adv. Ganesh Sovani and Adv. Deval Patel, both practicing at Bombay High Court and Mr. V A Kamat, Trustee, Nitall Jinn and a social activist in Goa spoke in the session on 'Major Challenges facing RTI' chaired by Brig. (Retd.) N H Braganza. Sovani



made a detailed presentation on evolution of RTI in India and stressed on the precautions applicant should take while applying under RTI. Adv Patel while highlighting the need of government gearing up to implement RTI Act suggested that the mindset of public servant should change along with awareness among the people. Mr. Kamat spoke about the ground realities that a applicant faces when any

information is sought.

Last session on 'Media's role in Implementing RTI' was chaired by Ms. Nandini Sahai, while Suhasini Prabhugaonkar, Frederick Norhona and Swati Deshpande noted how the media can act as a vehicle to create awareness about the Act and its success stories. All agreed that media needs to do much more to make people aware of the act and encourage them to use RTI. Besides this it was also felt that media itself should use RTI more than before.



Among the recommendations that ensued from the discussions were, that there was a need to create grassroots awareness of the Act and of its use even among the media. Cajetan Vaz, an advertising professional, suggested that alternate media like street plays and direct marketing as well as Prasar Bharati run TV and radio channels which have the maximum reach ought to be used to spread information about the Act. Prof. M Pinheiro, Principal, V M Salgaonkar College of Law in Goa and Adv Ganesh Sovani also from Mumbai spoke about how the Act can be used practically. Sovani pointed out that indexing and maintaining of records has been slow in most government departments as a result information flow is often delayed.



Anil Parulekar a former APIO under the Act in Goa noted that the Act had certain grey areas especially when it came to selection and appointment of commissioners and on whether the 30 day period to reply questions meant 30 working days or calendar days. Prof. Gopalkrishna Kondli, Vice-Principal, Damodar College of Commerce and Economics, Margao suggested that the students and college infrastructure should be used in creating awareness about the Act. The media's role in

implementation of RTI was also discussed.

Usually seminars end with a summary of the topics discussed but this seminar proved to be different and productive. At the end of a well rounded event, Ms. Sahai declared the formation of the Goa RTI Forum which is a voluntary group of like minded people dedicated to the cause of RTI and its implementation. Brig.(Retd) N H Braganza, GM, ICG also extended his support to the forum which will have activist V A Kamat as convener and Anil Parulekar as the co-convener besides Collin Curry,

Cajetan Vaz, Pravin Sabnis, Dattaram Naik, Frederick Norhona, Roland Martins as its core team members. The Chief Information Commissioner of Goa as well as the Director, Department of Information and Publicity could not attend the proceedings due to their busy schedule.



SUGGESTIONS & RECOMMENDATION

Following suggestions were made in the session on Suggestions and Recommendations:

1) Repeal of Goa RTI Act, 1997:

There is indeed a crucial need to repeal the Goa RTI Act, 1997 by an appropriate notification in the Official Gazette as has been done by most others States in India. The Goa RTI Act, 1997 suffers from many shortcomings. To state a few, there is no provision in the Goa RTI Act, 1997 for the suo-moto disclosure of information by the authorities' to the public at regular intervals through various means of communications. The Goa RTI Act, 1997 is not an exhaustive enactment as there are no provisions for appointment of designated public information officers. The provisions governing the obligations of the competent authority are fairly inadequate. Further, there is no provision for transfer of application in the event an application is not made to an appropriate department. Also there is only a single stage appeal provision. Neither is there any provision for disclosing information which can be reasonably severed from the exempted category information nor provision governing information disclosure of third party. The RTI Act, 2005 provides for all the aforesaid issues. The Goa RTI Act, 1997 should be repealed in order to introduce uniformity and avoid ambiguity in the RTI process as the existence of two concurrent provisions leads to confusion.



2) Voluntary Disclosure:

The Government of Goa should voluntarily maintain a fair share of transparency and index, catalogue and disclose all relevant information. Also at times there are common issues and identical queries raised by different individuals. Self disclosure of important information will avoid multiple applications requesting the same information. The Government of Goa should publish booklets, brochures, pamphlets and use other print media to disclose and disseminate relevant departmental information. The electronic media and the internet is an effective way by which such information could be made public.

3) Appointments of PIOs/APIOs and Provision of Infrastructure:

The office addresses of the PIOs and APIOs so appointed should be made available to the public and they should be accessible. Each PIO and APIO should display his name and designation prominently outside his office. At each sub divisional level or other sub-district level such PIOs and APIOs, should be appointed to receive the applications for information or appeals under RTI Act. Thus proper appointment of such officials should be made to help the public to seek information and they should be provided with adequate infrastructure facilities.

4) Training of PIOs/APIOs:

Adequate training sessions should be provided to these appointed officers to educate them on the provisions of the RTI Act, 2005 and the latest decisions on appeals. The Government of Goa may consider allocating a specific fund for this purpose in the State financial budget.

5) Information Bank:

An information bank comprising important precedents regarding RTI complaints and the decisions by the appellate authorities should be maintained for the benefit of both, the appointed officers and the public.

6) Awareness campaigns by the Government:

The Government of Goa in co-operation with the Government of India should hold various seminars and awareness campaigns with respect to the RTI Act, 2005. Also the government should actively support the NGOs and other private institutions that organise such campaigns or seminars for public benefit.

7) Limitation on Exemptions:

The RTI Act, 2005 incorporates certain exemptions which are being misapplied primarily due to their wide parameters for eg. Section 8(d) of the RTI Act, 2005 deals with nondisclosure of information on the grounds of commercial confidence, trade secrets and intellectual property and Section 8(j) of the RTI Act, 2005 withholds personal and private information of an individual on the grounds of "Invasion of Privacy". Such provisions should be scrutinized for minimising the purview of the exemptions.

8) Regional languages (pertaining to States):

Also various regional languages (pertaining to that particular State) should be made use of for better understanding of the user. As for the State of Goa, the RTI Act, 2005 should be translated and printed in Konkani and Marathi for better interpretation and understanding of the locals.

9) Guidelines:

Detailed guidelines delineating the steps to be taken for the proper implementation of the RTI Act, 2005 should be issued by the Department of Personnel & Training. These guidelines should contain provisions for appointment of PIO and APIO, procedures to be followed in disseminating information and various other rules governing the finer aspects of the RTI Act, 2005.

10) Role of Media:

Media has to promote the use of RTI by using it within media houses and encouraging general public to use RTI. Media can also carry RTI success stories and

encourage sharing of information. Spreading it to grassroots level through use of traditional and non traditional media including street plays, folk songs, audio-visuals; using film personalities to make public interest spots for promoting RTI; using government owned media like DD and Akashwani to spread awareness and train people on the use of RTI.

11) Promoting RTI:

RTI can be promoted by having an interface between activists, media and public through public hearings, holding round table meetings with media persons and RTI activists. By spreading awareness among college and school students through camps and by initiating RTI projects in college magazines and initiating and using college students to spread RTI awareness. For example involve NSS students and their rural outreach programmes to promote RTI. And monitor the awareness and implementation campaign.

12) Government Budget:

To find out the government's budget set aside on creating awareness, tap into it. See if it is adequate and how best it can be used. Forum can work with government to implement RTI awareness programmes through different departments.

SEMINAR PROGRAMME

Friday, 29 June 2007

0900-0955

Registration

1000-1100

Inaugural Session

Lighting of Traditional Lamp

Welcome Address

Rajeshwar Dyal, Media Advisor, FES-India
Nandini Sahai, Director, MICCI

Keynote Address

Pratapsingh Rane, Speaker, Goa Legislative Assembly and
President, The International Centre, Goa (ICG)

Vote of Thanks

Brig. (Retd.) N H Braganza, General Manager, ICG

1100-1130

Tea/Coffee Break

1130-1300

Session I: National RTI vs. Goa RTI: Was Goa RTI more pro-people?

Chairperson: Jamshed Mistry, Advocate, Bombay High Court, Mumbai

Speakers:

1. M Pinheiro, Principal, V M Salgaonkar College of Law, Goa
2. Anil Parulekar, former APIO & author of 'Information on the Right to Information', Goa

[Each speaker 20 mins. Discussion 30 mins.]

1300-1400

Lunch Break

- 1400-1530 **Session II: Major Challenges facing RTI**
Chairperson: Brig. (Retd.) N H Braganza, General Manager, ICG
Speakers:
1. Ganesh Sovani, Advocate, Bombay High Court, Mumbai
2. Deval Patel, Advocate, Deval Patel Associates, Mumbai
3. V A Kamat, Social Activist, Goa
[Each speaker 20 mins. Discussion 30 mins.]
- 1530-1600 **Tea/Coffee Break**
- 1600-1730 **Session III: Media's Role in Implementing RTI**
Chairperson: Nandini Sahai, Director, MICCI
Speakers:
1. Suhasini Prabhugaonkar, Correspondent, Gomantak &
President, Goa Union of Journalists, Goa
2. Fredrick Noronha, Freelance journalist, Goa
3. Swati Deshpande, Correspondent, Times of India, Mumbai
[Each speaker 20 mins. Discussion 30 mins.]

Saturday, 30 June 2007

- 1000-1130 **Session IV: Suggestions and Recommendations**
Chairperson: Ganesh Sovani, Advocate, Mumbai High Court
OPEN FORUM – GROUP DISCUSSION
- 1130-1200 **Tea/Coffee Break**
- 12.00 – 13.00 **Session V: Concluding Session -
Formation of Goa RTI Forum (A voluntary body)**

ABOUT ORGANISERS

Media Information and Communication Centre of India (MICCI)

MICCI is formally registered as a non-profit Trust mainly devoted to organizing seminars, conferences, workshops, research and publications in the field of media with a national and international focus. We have a network of partners all over India and also South Asia. Some of our longstanding partners include- the Department of Mass Communication, Rajasthan University, Prabhat Khabar Institute of Media Studies, Ranchi, St. Andrews College, Mumbai, Asian College of Journalism, Chennai, Indira School of Communication, Pune, VOICES, Bangalore, South Asian Media Association (SAMA), Hyderabad, Media Education for Awareness and Cultural Transformation (MEDIACT), Kerala, National Institute of Social Work and Social Sciences (NISWASS), Bhubaneswar, Centre for Media Research & Development Studies, Kolkata, Bombay Bar Association and the International Centre, Goa. MICCI will provide a forum to the media to discuss contemporary issues, like Media's role in disaster management and assessing rehabilitation and resettlement work done for Tsunami victims, its role in assessing the State of Democracy in India, Contempt of Court, Training Workshops for Rural Journalists, Challenges facing women journalists and sensitizing the common man for the implementation of the Right to Information Act.

<http://micci.in/>

FRIEDRICH EBERT STIFTUNG, India Office (FES-India)

The Friedrich-Ebert-Stiftung (FES) is a non-profit, NGO supported by the Government of Germany. The FES aims at strengthening democratic structures, promoting training and policy-oriented research programmes in Germany and in cooperation with partner organizations in more than 100 countries across the globe. Democracy, justice and solidarity are the guiding principles of the activities of the Friedrich-Ebert-Stiftung. Striving for equal rights for women and men is an inalienable principle within this context. To uphold the values of Social Democracy as conceived by Friedrich Ebert, the India office of FES collaborates with policy-makers, academic and research organizations, trade unions, and NGOs in India. Facilitating discussions on crucial issues related to the development process in India is the main objective of FES India work. This is done by providing a platform for interaction at the State, National and South Asia level.

<http://www.fesindia.org/>

The International Centre, Goa (ICG)

The International Centre, Goa (ICG) was founded in June 1987 under the Societies Registration Act (1860) “to promote understanding and amity between parts of the country and with different communities of the world” through a multiplicity of activities. The Centre is an autonomous institution. It relies on grants and donations from local and international institutions to fund its programmes. Residential and non-residential conferences, seminars and training programmes are organized by local, national and international organizations. The Centre also has 44 guest rooms, 3 seminar rooms, a restaurant, and several lawns of different sizes that are used for private functions, which could range from small get-togethers to elaborate parties. The ICG’s facilities are located on 14 acres of land on the Taleigao Plateau at Dona Paula, Goa. The plateau overlooks the confluence of the famous Zuari river and Arabian sea.

<http://internationalcentregoa.com/>

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