

# CHRI Programmes

CHRI's work is based on the belief that for human rights, ideal democracy and development to become a reality in people's lives, there must be high standards and functional mechanisms for transparency and accountability and participation within the Commonwealth and its member countries. In addition to its broad human rights programme, CHRI advocates for access to information and access to justice. It does this through research, publications, workshops, information dissemination and advocacy.

**Human Rights Advocacy:** CHRI makes regular submissions to official Commonwealth bodies and member governments and when needed, conducts fact finding missions. Since 1995, CHRI has sent missions to Nigeria, Zambia, Fiji Islands and Sierra Leone. CHRI also coordinates the Commonwealth Human Rights Network, which brings together diverse groups to build their collective power to advocate for human rights. CHRI's Media Unit also ensures that human rights issues are in the public consciousness.

## ACCESS TO INFORMATION

**Right to Information:** CHRI catalyses civil society and governments to take action, acts as a hub of technical expertise in support of strong legislation, and assists partners with implementation of good practice. CHRI works collaboratively with local groups and officials, building government and civil society capacity, as well as advocating with policy makers. CHRI is active in South Asia, most recently supporting the successful campaign for a national law in India and provides legal drafting support and inputs in Africa. In the Pacific, CHRI works with regional and national organisations to catalyse interest in accessing legislation.

**Constitutionalism:** CHRI believes that constitutions must be made and owned by the people and has developed guidelines for the making and review of constitutions through a consultative process. CHRI also promotes knowledge of constitutional rights and values through public education and has developed web-based human rights modules for the Commonwealth Parliamentary Association. In the run up to elections, CHRI has created networks of citizens' groups that monitor elections, protest the fielding of criminal candidates, conduct voter education, and monitor the performance of representatives.

## ACCESS TO JUSTICE

**Police Reforms:** In too many countries the police are seen as oppressive instruments of state rather than as protectors of citizens' rights, leading to widespread rights violations and denial of justice. CHRI promotes systemic reform so that police act as upholders of the rule of law rather than as instruments of the current regime. In India, CHRI's programme aims at mobilising public support for police reform. In East Africa and Ghana, CHRI is examining police accountability issues and political interference.

**Prison Reforms:** The closed nature of prisons makes them prime centres of violations. CHRI aims to open up prisons to public scrutiny by ensuring that the near defunct lay visiting system is revived.

**Judicial Colloquia:** In collaboration with INTERIGHTS, CHRI has held a series of colloquia for judges in South Asia on issues related to access to justice, particularly for the most marginalised sections of the community.

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## Commonwealth Human Rights Initiative

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The Right to Information (RTI) Act came into force on 12 October 2005 and extends to the whole of India, except the State of Jammu and Kashmir. With the enactment of this law, it was hoped that there would be a transition from a secretive system of governance to one of openness, where citizens can demand access to information held by the government. The right to access information has meant that India has started to witness growing numbers of successful stories where people have actively taken up the charge to fight corruption and injustice.

The Commonwealth Human Rights Initiative (CHRI) along with Saakshi, salute these acts of courage and responsibility. This calendar highlights stories that will go down in history, serving as a source of inspiration to millions of citizens who remain in the dark about the status of their allotment of ration cards, long-due passports, pending pensions, awaited employment and much more. It is only through an enforceable and utilised Right to Information Act, that ordinary citizens can uncover the truth and ensure that government actions and decisions promote public welfare and accountability. We encourage citizens to use this powerful law and make India a truly democratic, transparent and corruption free country.



Saakshi is the young protagonist from CHRI's popular radio programme on RTI, *Ab To Hum Janenge*. She is a postgraduate student who is willing to inform and help people solve their problems by using RTI.

**The Right to Know is the Right to Live**

Commonwealth Human Rights Initiative





## Commonwealth Human Rights Initiative

January

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The RTI Act provides 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 their working.

All over the country, poor people depend on the government's public distribution system to get essential items like sugar, rice, wheat and edible oil at controlled prices. Very often these people are cheated: bad quality goods and grains are sold to them while the good stuff is diverted to the open market. In Delhi, poor slum dwellers used the RTI law to see what stocks had come into their local shop and how these had been distributed. They demanded to see the records of receipt, sale and distribution of the items. The shop owners initially did not give any information, and harassed them, but finally they had to disclose all the information that was asked for. Now, the stock books are regularly available for inspection. This has reduced leakage of essential items into the black market and made sure that more benefits reach the public. In a similar case in Gujarat, a ration shop owner was made to pay a fine of Rs 1 lakh after RTI exposed his fraudulent deals.





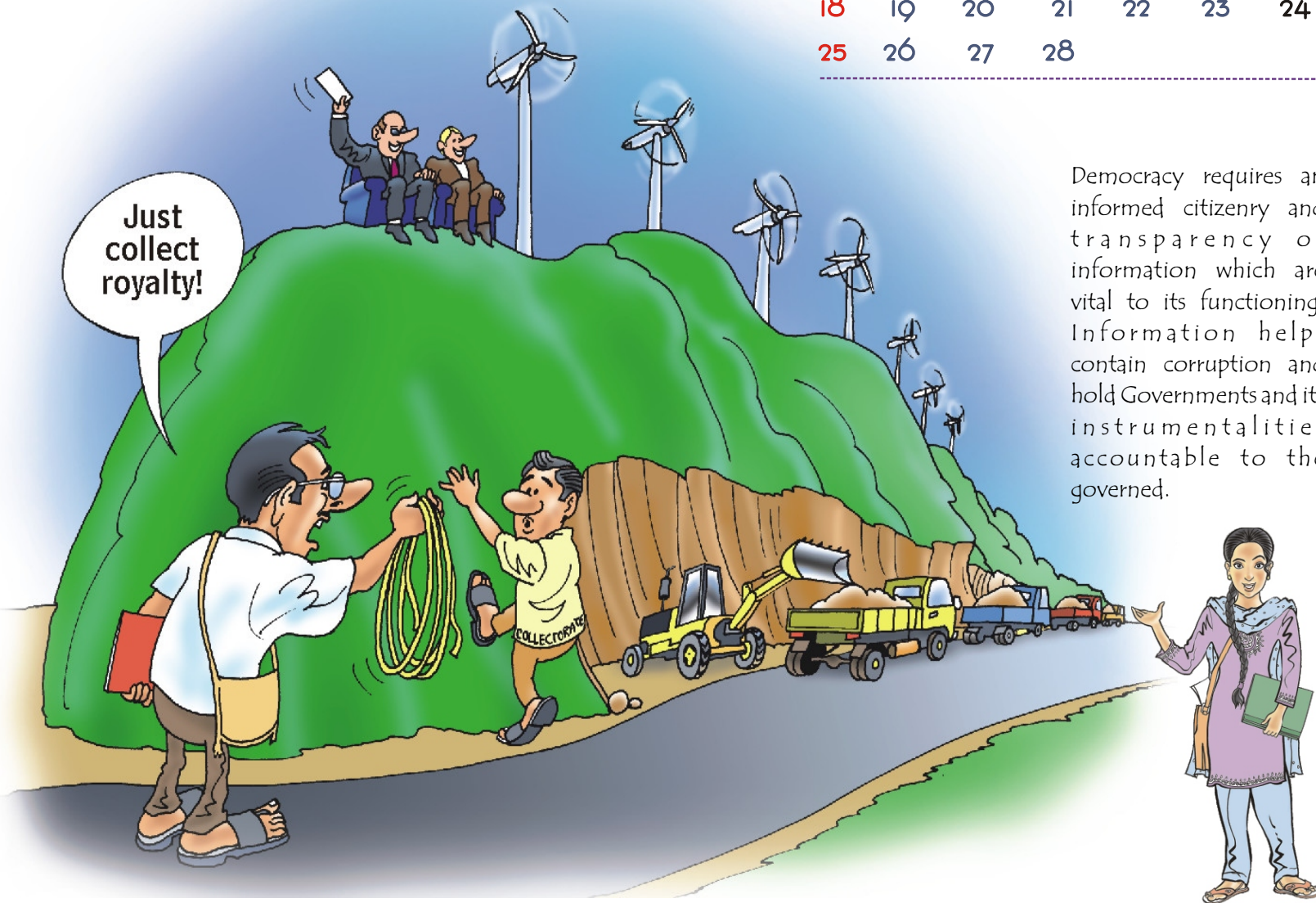


## Commonwealth Human Rights Initiative

February

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Democracy requires an informed citizenry and transparency of information which are vital to its functioning. Information helps contain corruption and hold Governments and its instrumentalities accountable to the governed.



The Western Ghats of the Sahyadri ranges in Satara district of Maharashtra have wind mills spread over 3,000 hectares or more, installed by a few companies. Using RTI, Shivaji Raut found that these companies had excavated precious bauxite mineral - for which they had not paid royalty. As a sequel to his query, the District Collectorate sent notices to the companies demanding a royalty of Rs. 3.5 crore for the 86 metric tonnes of bauxite extracted.



## Commonwealth Human Rights Initiative



The RTI Act covers offices owned, established and financed by Central, State Governments and Union Territories. It also covers organisations substantially financed by governments directly or indirectly.

March						
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Every citizen has the right to know how the government is spending the taxpayers' money. Without people questioning how money is being spent, there is always a temptation for the government to misuse it. In Maharashtra, a retired army officer used the RTI Act to access logbooks of cars being used for official purposes. He found out that the cars were being used to visit tourist resorts at Nasik, Aurangabad, Shirdi, Lonavala, and Khandala! The logbook also showed that an official was present at two places (Mahabaleshwar and Nasik) at the same time!







## Commonwealth Human Rights Initiative

April

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Wo aurat kya  
jaan payegi?

Aurat dal mey  
kala to dekh hi  
sakti hai

The RTI Act provides every citizen the right to inspect works, documents and records; take notes, extracts or certified copies; take certified samples of materials and obtain information in the form of diskettes, floppies, tapes, video cassettes or any other electronic mode.

All work related to India's infrastructure such as roads, bridges and construction is carried out with public money. Citizens have a right to know details such as the total money sanctioned and spent, wages paid to labourers, quality of materials used etc. A person residing in Delhi wanted to know why the road behind her house was perpetually in a bad condition. She used the RTI Act to inspect the road and take samples of the materials used. Initially, the officers refused to give her any information and asked instead for her age, educational qualifications and expertise in investigating road work. She complained to higher authorities and was finally allowed an inspection. She matched the measurement book with the actual field conditions. Interestingly, the road was repaired soon after she sought information.





## Commonwealth Human Rights Initiative

Every public authority must proactively disclose organizational information to the public through notice boards, public announcements, media broadcasts, the Internet or citizens may be allowed to inspect the information in the government office.



May						
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Launched in May 2006 with the aim of bringing transparency to the Panchayat administration, the Nagarkere Gram Panchayat in Karnataka brings out a regular newspaper called Grama Sarkara. Even before they ask for it, the newspaper tells local people all about Gram Panchayat matters - how much tax is collected, how much money has been spent on development and infrastructure and what government schemes are available.





# Commonwealth Human Rights Initiative

June						
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Each public authority must designate PIOs in all administrative units and offices in order to provide information to citizens as requested. They must also designate an Assistant Public Information Officer (APIO) to receive applications for information or appeals and forward them to the PIO or Appellate Authority.



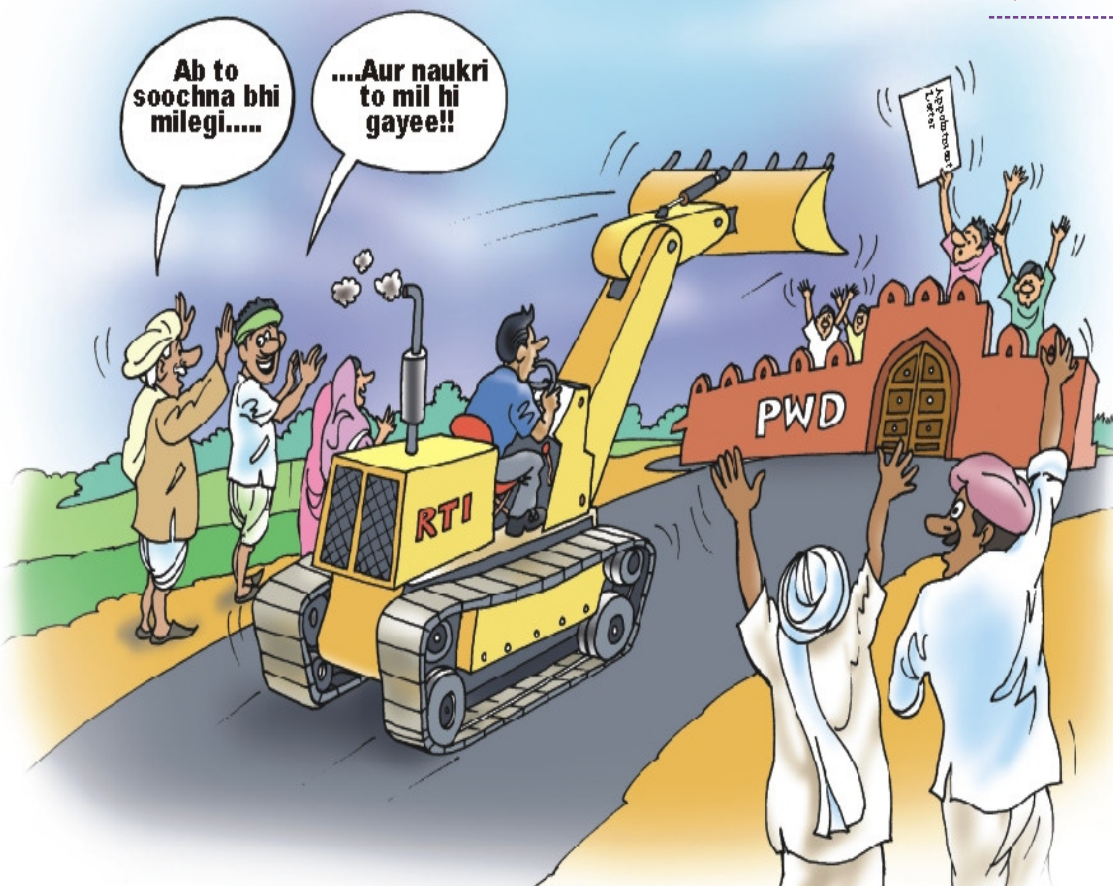
Gulambhai is a villager from Boru in Gujarat. He could not understand why on most days there was no health worker at the local health care centre and medicines were often in short supply. So he asked the Public Information Officer (PIO) for the number of health workers assigned to visit along with a list of their responsibilities. Though the authorities resisted giving information to him directly, he began to notice immediate improvements on the ground. The health worker started visiting the village every day, attending to the health problems of local residents and distributing medicines regularly. Even the doctor (who was also the PIO!) visited Gulambhai at his home to see if all was well!





## Commonwealth Human Rights Initiative

July						
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All applications must be in writing or through electronic means in English, Hindi or the official language of the State in which the application is being made. Information must be provided within 30 days from the date of receipt of the application.

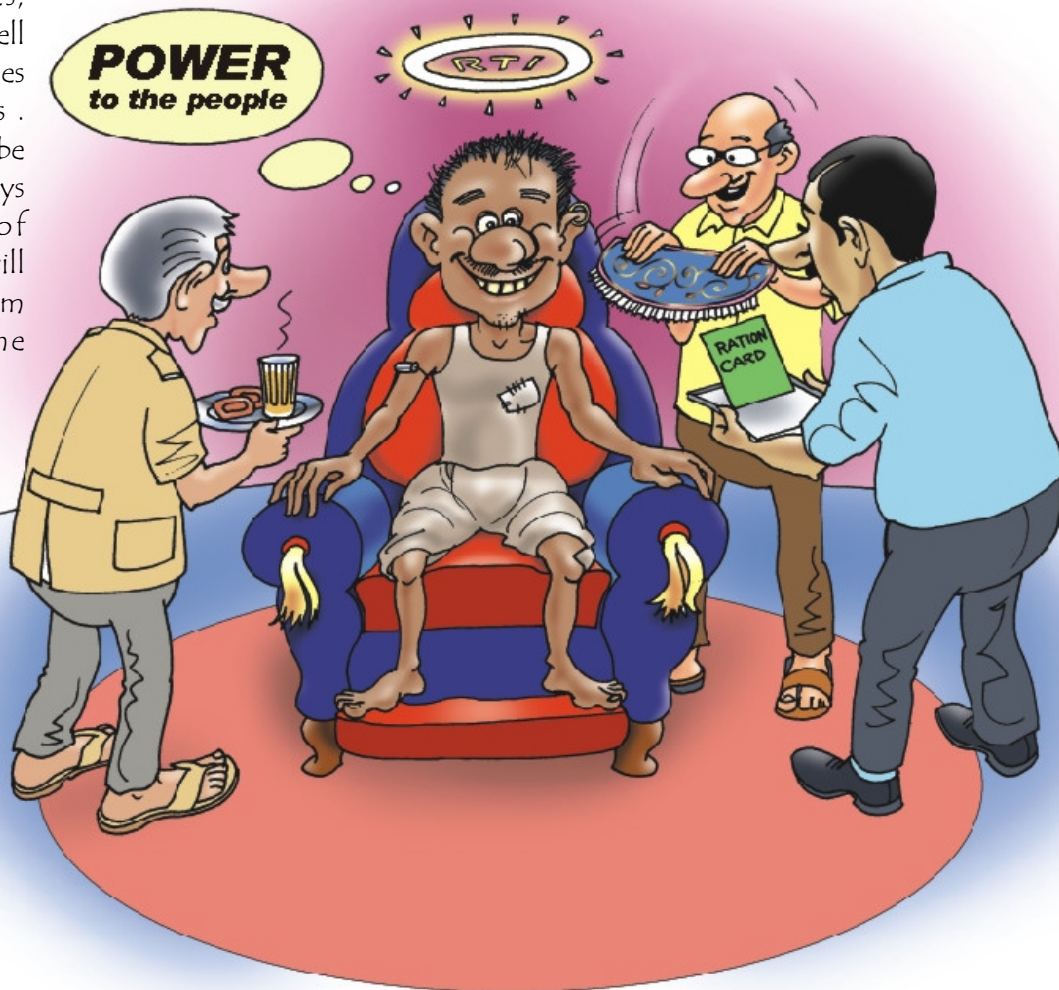


Deepak Vishwakarma of Dharwara village in Katni, Madhya Pradesh was refused a job with the Public Works Department (PWD), where his father used to work before he passed away. According to the government's policy, a member of the bereaved family can get employment on compassionate grounds. Deepak filed an RTI application with the District Court against the department enquiring about the existing vacancies. Even though the court ordered the department to employ him, for four years nothing happened. After this, Deepak filed a second application, this time seeking to know the names and designations of the officers responsible for taking action on the court's order and his case's daily progress reports. This resulted in the officials giving Deepak a job with the PWD office in Jabalpur.



## Commonwealth Human Rights Initiative

RTI applications must be accompanied with an application fee. Citizens must also pay additional fees that include photocopy charges, inspection fees, as well as cost of CDs, floppies and samples. Information must be provided within 30 days from the date of application. Fees will not be charged from persons below the poverty line.



August						
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Nannu is a daily wage earner who lives in Welcome Mazdoor Colony, a slum habitation in east Delhi. He lost his ration card and applied for a duplicate one from the Food and Civil Supplies Office in January 2004, but for months nothing happened. Ultimately, he filed an application under the RTI Act asking for the daily progress made on his application and the names of officials responsible. Within a week, an inspector from the department visited Nannu and informed him that his ration card was ready for collection.





## Commonwealth Human Rights Initiative



The PIO must inform the person sending the request giving the details of further fees together with the calculations made to arrive at the amount.

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Mr. Ughade, a Mumbai resident asked for information from the Public Information Officer of Brihanmumbai Municipal Corporation (BMC) regarding the usage of funds by the elected representatives of the Corporation. Though Ughade received the information, he was overcharged and asked to pay Rs. 800 for 360 pages of information. To sort this out, an RTI activist filed another application, this time asking the PIO the basis for overcharging. As a result, Ughade got a refund of Rs. 616 from the BMC by demand draft.





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October

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A person who does not receive the information requested or is aggrieved by the decision of the PIO can make a first appeal within 30 days to an officer who is senior in rank to the PIO in each public authority.



Every year the government spends a lot of money for the betterment of the marginalised sections of society. Often, corrupt officials siphon off this money without it reaching the intended beneficiaries. In Madhya Pradesh, money was given as a part of a project to buy first aid kits for schools. A citizen asked the cost of each kit and found that it had been bought for Rs 3,500 each. On finding this price to be too expensive, he checked the prevailing market rate and found that the most expensive kit costed about Rs. 900! After the media highlighted this story and the project authorities were informed, the District Collector held an inquiry and the supplier was forced to return the excess money to the project.





## Commonwealth Human Rights Initiative

The Central and the State Governments have constituted Central/State Information Commissions, primarily responsible for enquiring into complaints and appeals received from individuals.



November						
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Shailesh Gandhi in Mumbai asked the Public Information Officer of the Mumbai Police Department for the number of police officers transferred by orders of MLAs, MPs and Ministers and the names of the latter. After not having received the information, he complained to the Lokayukta (an authority appointed to investigate administrative actions taken by or on behalf of Maharashtra government). This resulted in the Lokayukta reprimanding the government and the Mumbai police, and asked for action to be taken against police officers whose transfers had been recommended by politicians.



## Commonwealth Human Rights Initiative

December

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The Central and State Information Commission have been given the power to impose penalty on the PIO, which is Rs. 250 per day, the maximum amount being Rs. 25,000.



Monoj Kumar Sharma of Vidisha in Madhya Pradesh used the RTI Act to seek a certified copy of a mutation case pertaining to his land at Chatauli on 5 December, 2005. He received incomplete information on 20 April, 2006 from the tehsildar. Moreover, the officials gave false reasons for not appearing before the State Information Commission at the hearing of the case. As a result, the State Chief Information Commissioner imposed a fine of Rs. 25,000 on the tehsildar for having failed to provide the information within the prescribed one-month time limit as well as for ignoring the State Information Commission.