

The Right to Information and the Children of Uttarakhand

A program Supported by Asha SV and UMA



Badte Kadam
20th and 21st of May 2011



By
Mountain Children's Foundation
63-A Vyom Prasth
G.M.S Road
Dehradun Uttarakhand

www.mymountains.org

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Checking in and settling in on the 19th

On the 19th of May, about 100 children from 13 districts of Uttarakhand checked into the Surabhi Hotel in Dehradun to participate in the 9th annual function of the Mountain Children's Foundation (MCF). Over the next three days they would share their RTI experiences, interact with officials and the media and re-affirm the MCF pledge. It was a hot day and it had been a long journey for most of the young participants. They were welcomed by the MCF headquarters staff with tea and biscuits. In the evening they met the facilitating team made up of Aditi, Sudhir, Dwarika and Harish. The team would remain available through the workshop and were to be contacted if any problems arose or anything additional was required. The children were asked not to leave the premises at all to ensure their safety.



Meanwhile the MCF team got down to decorating the hall for the workshop. Soon they were joined by the children who were now feeling refreshed.

Sharing experiences with each other, experts, the media and the Information Commission on the 20th



On the morning of the 20th air was full of fun and laughter as the children joined the MCF headquarters team in blowing myriad balloons, resulting in an impromptu balloon blowing competition. This formed a background to the tapestry of the presentations and displays that were set up across the hall. These displays showcased the amazing work undertaken by the 15 partner organizations over the last year.

The program formally started with the traditional lighting of the lamp. This opening ritual was undertaken by the youngest members of the group, Mamta from Dehradun, Deepa from

Gairsain, Monika from Kalsi and Nadeem Shah from Haridwar. They were joined by the facilitators from the 15 participating organisations¹.

This was followed by a presentation by Dwarika detailing the entire program of the 14 organisations supported by Asha SV and one organization supported by UMA. The presentation touched on the following points:

- Over 81 workshops were held during the last year
- Over 3734 children participated in these workshops and have subsequently filed over 408 applications
- In a noteworthy deviation from last year, 502 adults took part in these workshops
- The RTIs focused mainly on issues that directly impacted the rights of the children of Uttarakhand. Education related issues headed the list followed by health issues. Water and Electricity were other important issues that were acted upon. The lack of basic amenities like water and electricity have a heavy negative impact on education - water collection duties (especially during the dry season) that fall mostly on the children, eat away precious time for study and play. Roads and connectivity also came up as important issues, as each village works towards getting linked to the rest of the state. Last year's natural disaster caused by an over active monsoon resulted in several RTIs relating to compensation being filed. Pension and BPL related issues were also areas that saw considerable RTI action².
- The presentation also showed a comparison between the base line and end line survey³ which showed a dramatic difference as far as knowledge if the Act was concerned and the number of RTIs filed.
- The information of the PIO officer information or the Sou-motu disclosure of information is still not available at the village level though the block and district level boards are in place.
- The organizations were reluctant to files complaints against the village level offices as the organisation work in the villages and that would be tantamount to declaring war against the village panchayat and other offices. Besides the village level government offices have said that they are not required to have this information as they are only camp offices.



After the presentation the participants were joined by the facilitators and RTI experts present and the media in exploring the displays and taking in the experiences detailed in them.

¹ Partner Organisations – Arpan-Pithoragarh, Sudha-Almora, SIMAR -Bageshwar, Kagas - Chapawat, NGVSS – Udham Singh Nagar, Chahat -Nainital, Chestha- Nainital, Sead -Pauri, Sead -Dehradun, SBMA -Gairsain, Grass-Ridraprayag, Hensr - Uttarkashi, PDI -Haridwar, Mt Valley - Tehri and Bal panchayat Horrawalla -Dehradun

² For details of issues please see Annex 1

³ For Base-line and End-line Survey comparisons please see Annex 2

Expert advice



Santhosh a RTI expert from Parivartan, a Delhi based activist organization working on RTI and who has been involved with our RTI work over the last few years said she was very impressed with the kind of applications filed by the children. She had some advice to offer the young participants:

“The children have done work that even adults have not been able to accomplish.”

Santhosh, Parivartan, New Delhi

- We should never leave an RTI half – when the children have filed an application and have not got an answer within the 30 days they should file a first appeal and take the application to its logical conclusion
- We should not use the RTI for negative work
- And we should never use money to get work done but can use RTI as an effective tool

Ramasrey another of our experts from Parivartan said that he did not have words to say how impressed he was with the work that the children had accomplished in such a short time. He said that Himanshu from Hensr was a young child only 8 years old and he had asked about such important issues as teachers in his school and girls toilets in the school. And he was able to tell him about the RTI Act and what they had accomplished in the district of Uttarkashi. Mr. Ramasrey promised to share the stories he had encountered during the workshop with people who he met in the larger network. He too had advice for the children:



- In the event of anyone threatening the children, an FIR should be lodged immediately
- He said that all these stories should be placed before the press and shared
- He also said that written information was much better than verbal information. Several offices are now calling the applicant and giving them verbal information instead of written information. The children should not accept anything other than written information.
- He said that most of the complaints that the children had were that the PIO officer did not have a board outside his office naming it as the PIO. He said that the children should file a complaint if the board was not placed.

The children then had a question and answer session with our experts from Parivartan. Some of the questions raised were as follows:

Ques: When we ask for information from the Block Education Officer the school principals often come and ask the children why they filed applications. This worries the children.

Ans: Ram Asrey said that the children should not be frightened and that they should file an FIR if they are threatened and they should say why they filed the application.

Ques: For the first appeal the children are called to the block. Do the children have to appear for the first appeal?

Ans: A letter should be written saying that the children would not be able to come to the block for the first appeal and that the information should be sent by post.



Ques: When an FIR is filed the police do not follow up on the complaint - what should we do then?

Ans: The complaint should then be sent to the DIG of police.

Ques: From how long ago can we ask for information through the RTI?

Ans: We can ask for information that is 20 years old.

Ques: If we do not remember who the PIO officer is will the applications reach the right person?

Ans: Your applications should be transferred through section 6 (3)

Ques: What is the time limit for the second appeal?

Ans: There is no time limit, but the commission does try to hear the case before three months are up

Ques: When does a penalty apply?

Ans: When the answer is not given within the 30 day limit or if the information is wrong.

Ques: An application was filed with the Social Welfare Department and no answer has been received even after the first appeal now what should be done?

Ans: File a second appeal.



Ques: How many questions can be asked in an application?

Ans: In Uttarakhand there is no limit to the questions that can be asked but in states like Bihar the questions cannot consist of more than 250 words. Ram Asrey also said that it would be better if fewer questions but clear questions are asked.

Ques: If a second appeal is filed does the applicant have to appear before the commission?

Ans: It is not necessary to appear before the commission. The ruling will be sent to the applicant by the Commission through the post.

Ques: What should be done to find out the name of the PIO and the officer?

Ans: The commission should be asked for the list of PIOs.

Media interactions



After the session with experts the children were visited by a number of people from the press, representing both print and TV media – Sunil Silswal from ETV news, Ravinder Bhardwaj from Sadhna News, Naveen from Amar Ujjala, Deepak from the Hindustan Hindi, Harish from Dainik Jagran, Deep Joshi from The Hindustan Times (English), Yogesh Shelly from ETV, Brig. Thapa from The Pioneer, Vickram Thapa from the Garwal Post, Radhika Raj and Jasjeet Plaha from

Hindustan Times Delhi and Hindustan Times Mumbai.⁴

They met with the children and went through their presentations. They then took detailed interviews of one child from each organization. They were very impressed with what the children had been able to achieve through using RTI and there were several reports in the news papers the next day. This made the children very satisfied.

Meeting government and development illuminaries

After lunch Neelam Sehgal the Vice Chair Person of the Bal Vikas Board and Kamini Gupta the Secretary of the board along with Cyril R Raphael interacted with the children and saw their presentations and displays. This is some important feedback from them:

Neelam Sehgal – **“The children are doing very good work. I will try my best to ensure that the children get the information. I feel that the issues the children have raised are very important and I would like to get a list of the applications filed so that I can follow up on why the children have not got answers.”** She said she was appalled that the children sometimes had to face unpleasantness. She wished the Bal Sangathans success in getting more information for their communities.



Kamini Gupta – **“It is truly amazing what the children have accomplished. The children speak with such confidence and are more advanced than even the urban children.”** She said that speaking with the children was a learning experience. She wished the children success.

After this the children had a session with the Uttarakhand Chief Information Commissioner Mr NSNapchiyal and State Information Commissioner Mr Vinod Nautiyal via the Overhead Broadcasting Van (OB Van) where the children interacted directly with the Commission through video conferencing. This session ran for over an hour and was a question and answer session.

⁴ Some Paper Clippings Annex 4

Some of the questions asked by the children:

Diwan Singh Rawat, Almora – “I asked for information from the Social Welfare Department but have not got an answer even after I filed a first appeal what should I do now?”

CIC – “not getting an answer means you should file a complaint and you will get the information.”



Madhubala, Horrawalla – “I have a BPL card number but not the card itself can I file an application asking for information on how to get my BPL Card?”

CIC – “You must ask the Block Development Officer to make your card because not only is a BPL Card important for filing RTIs but for a number of other things as well.”

Kavita, Nainital – “What should I do if the PIO does not give me information?”

IC – “Send this as a complaint under section 18 to the Commission and the Commission will ensure that you will get your answer.”

Champa Bisht, Nainital – “What steps have been take by the Commission to generate awareness about the Right to Information?”

CIC – “The government gives information in the news papers every day and the OB van is especially provided for traveling to far off places in the state to generate information about the Right to Information Act 2005.”



Shubam, Champawat – “Can we ask for information from any part of India?”

CIC – “Yes from any part of India except Jammu and Kashmir and only if you are a Citizen of India.”

Anshul, Rudraprayag – “Can an application be written on a stamp paper by someone other than who has bought the stamp paper?”

CIC – “You may have trouble if the stamp paper is in anyone else name so it would be better if the stamp paper is in your name.”⁵

⁵ The MCF team spoke to the Under Secretary Mrs. Sushmita Sengupta Pandey and explained how non judicial stamp papers could only be got at the block level and that was very far for a child to go. Therefore the partner organization had bought the stamp paper in their name and had given it to the children which had been sent back by the PIO. The Under Secretary said that the child and organization should file a complaint so that a discussion could be started. She said that a ten rupee non judicial stamp paper was not used for legal documents but only as payment to the state treasury which is what had happened as soon as the non judicial stamp paper had been bought.

Himanshu, Uttarkashi – “A child from my Bal Panchayat had asked for information about compensation after the disaster that had taken place due to excessive rain and he had been threatened by the Tehsildar and other people of the government.”

CIC – “Scaring or threatening is a big offence in the eyes of the Commission and a complaint against the person should be filed immediately and the Commission would look into the matter with urgency. The child should complain to the police at once.”

Sudhir Bhatt MCF: Under section IV of the RTI Act the departments are not displaying information

CIC : It is difficult to display all the information but each department should have their manuals. If the manuals have not been created then a complaint can be filed

Sudhir Bhatt MCF: Under Section 6 (3) if the PIO does not transfer the Application to the right department should we file a first appeal or a complaint

CIC : It is a complaint and you can complain under Section 18.

The session was closed with a vote of thanks to all present. The seriousness with which the officials reacted to and dealt with their questions was a strong endorsement of the children’s work and reinforced their will to continue.



A cultural program started at 7 pm with various performances by the children. Some were in their traditional costumes. The program was brought to a close at about 9:00pm with dinner for the participants. Several children who had travelled from Kumaon had travelled through the night before and were tired and needed to sleep early.

Foundation Day and the special awards function on the 21st

The 21st was a special day as The Mountain Children’s Foundation celebrates its formation day on this day. In 2002 the children created their own forum and every on the 21st of May every year we pledge ourselves again to our aim of ensuring that the children have a voice and role to play in their communities and that MCF will be the platform through which the children’s voices can reach the community at large.



The day started with even more balloons decorating the hall and a sense of festivity prevailed all around. The children neatened up their presentations and in some cases even made more charts to explain what they had achieved.

The Chief guests for the 21st were Mr. Vinod Nuatiyal, Information Commissioner Uttarakhand, Mr. B.P. Maithani, architect of the RTI Act in Uttarakhand, Mr. Virendra Painully freelance Journalist and Mr. Cyril R. Raphael the Patron of the MCF.



The guests started the program with the traditional lighting of the lamp. They then launched a poster that had been printed by the MCF to commemorate the 21st of May. They were welcomed with a rose each given to them by the children.

The guests were then shown the presentation by Dwarika Nauni on the achievements of the last year. They then interacted with the children and listened to what they had been able to accomplish in the year.

The awards ceremony

The children were then awarded for their outstanding work with the RTI and each child present was given a certificate for having been a part of the RTI program in the last year as were the facilitators given an award and certificate for their contribution to the program.

The children who received the special awards were :- Monika Arya, Karan Kumar, Minakshi Arya, Ravinder Pandey, Sonia Khati, Harikrishan, Sanjay Chand, Sandeep Pant, Shivanshi Dev, Mukesh Singh, Akshay Kumar, Suarabh Sharma, Jagdeesh, Abhishekh Uniyal, Aman, Kavita Bisht, Champa Bisht.⁶



Special Feedback

Mr. V.K. Painully was very emotional when he spoke. He told the children that they were not as happy with what they had achieved as he was seeing what they had achieved. He said "You have done so much work and suffered so many dangers. You are the Anna Hazares of your village. You are making change happen." He then turned to the Information Commissioner and requested him to ensure that postal orders were readily available at the Post Offices as the children had said that they could not get Postal Orders readily at the Post Offices. He said that let alone far away post offices even in Dehradun Postal Orders were not available. He said we must all work together to support the children in their endeavor and he as his contribution towards ensuring that



⁶ For details of the awardees list please see Annex 3

the children always had postal orders to file applications gave the MCF Rs 1000/- so that they could help children file their RTIs.

Mr. B.P. Maithani said that he was very happy that the children and the organizations were carrying on the work that had been started in 2008-2009 and had not stopped after one year. He said through this continuity the awareness of the Act would have gone deeper into the villages of Uttarakhand. He told the children, “You have realized how powerful the act is. You have the Tehsildar, the Patwari and other officials coming to you when normally they do not care much about you. They have even tried to scare you. It is possible that in some cases you may not have got answers but you must follow the Act through to the last stage.” He told the children that they now have a non violent weapon in their hands. He said that it is only the children of today that can make the country great, this country of ours that is mired in scams and corruption. “You are the strong pillars and main columns of the country” he said. He also told the children not to get scared, “If anyone scares you file a complaint with the Commission immediately.” He said that is why the Commission is a free appellate authority and does not come under the government. They can summon anyone from the government. He advised the children to create a network amongst themselves so that they could support each other if trouble ever arises. He said that they must let their parents know what RTI is being filed so that their parents can support them as well. He said that the government officers have been trained to give answers to the applications correctly. He also said he would be willing to give the children and facilitators a refresher course on the illegalities and the problems arising out of using the RTI. He said that there was no problem under the RTI Act that did not have a solution. He repeated that the children should not be scared in using the Act and that their using the Act was forcing the “other side” to do a better job. And RTI helps keep the pressure up. He wished the children success in all their future endeavors.



Mr. Cyril R. Raphael said that he loved the way the hall had been decorated and that he could feel the positive energy in the hall. He congratulated the children on all the hard work they had put in. He said, “You have to be independent and not wait for anyone else to help you. As of today you are over ten thousand children that are associated to different Bal Panchayats and the MCF.” He said if we calculate all those that have grown up and left the Bal Panchayats that would be many thousand more. He said that the present members of the Bal panchayat should reach out to their alumni, take their addresses write to them and when they come to the villages they must be involved with the Bal Panchayats. He said to understand better what he was trying to say the children must read the January PABAM where he had written more about how we should interact with our alumni. He wished the children on the 21st of May.



Dr. Sushmita Sengupta Pandey said she felt that she was also a part of the children movement and that whenever the MCF did anything on the RTI the commission was always a part of it, “We have been working together now for the past 4 years.” She said that often programs start and soon die out but because the children have started this program it will not die out. “Nowhere else in India have children done anything like this. You are ahead of the children in public schools as well because they have never learnt about the Act nor have they used it for themselves or their communities” she said. She went on to say, “In the Commission we see many RTIs filed by adults but they are only for personal benefit. You have asked Information that will help others. The commission will always be with you. I will personally ensure that each organization will get a book that has all the PIO Officers, the office addresses and the telephone numbers.” She requested the MCF to provide her with the list of the addresses of the partner organisations.



Mr. Vinod Nautiyal congratulated MCF and the partner organisations on having taken the awareness of the RTI to the remotest corners of Uttarakhand.



He said that the children must pass on the information they get to other members in their community. He said, “If any one scares you must complain and the Commission will take the matter up seriously. You can also get kshati purthi or compensation.” He said that the children do not have to go anywhere to collect information they must say that the PIO should send the information by post. He promised the children that the OB Van would go to each block. In the van would be an assistant PIO officer who would take in complaints and second appeals and deliver them to the Commission. He said that we had to thank the ex CIC for the idea of the OB Van. He

also told the children that when they file an application, complaint or second appeal they must write Parvatiya Bal Manch on the application and he promised that the Commission would look at that application, complaint or second appeal with extra sensitivity.

The session ended with a vote of thanks to all the guests and the children.

After lunch the children were shown a film “Dayeen ya Bayeen” a film by Bela Negi who herself was a child of the mountains, this film apart from showing how we should not abandon our villages but ensure their development also showed that children working collectively could make a difference.



After the film was over some of the children left but the ones who stayed behind then took off the balloons. The noise of bursting balloons matched the laughter that rolled out.



Badhte Kadam 2010 -2011
Applications filed by the children through 15 partner organisations .

RTI directly dealing with Child Rights - Education, Health, Preprimary Care and Games -157

Number of schools, sanitation in schools, water in schools, school repair and maintenance, lack of trained computer teachers in the schools, teachers smoking in the school, teacher student ratio, attendance of teachers	60
Issues pertaining to anganwadis which include number of anganwadis , criteria for opening new anganwadis, water in the anganwadis and nutrition	8
Health - details of immunization, ANM , health facilities in the village, ultra sound and birth registration, health cards, health schemes	32
Lack of play ground and information about sports material	19
Details of Kanya Dhan Yojna and schemes for girls and youth	12 (Kanya Dhan 9)
Information about Birth and Death Registration and the process	6
Mid day meals – lack of gas for cooking, quality of food distributed	5
Schedule caste – schemes for SC girls, number of schedule cast in a village	5
Details of scholarships	4
Details of nutrition supplements for women children and adolescent girls	2
Details of district level games	1
Details of Education Promoter	1
Schemes for critically ill children	1
Protection for vulnerable children	1

Electricity and Water – 51

Water – lack of drinking water schemes for the village, shortage of water, information on hand pumps	29
Power cuts , scheduling of power cuts, low voltage	22

Road -39

Road construction, repairing of roads and maintenance of roads	39
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For BPL and Schedule Caste -35

Ration BPL families get, not receiving ration in the PDS shops, no PDS shops	18
BPL list, how to make BPL cards, selection of BPL families	14
Caste and Domicile certificates	3

Pension – 24

Old age, widow and disability pension, freedom fighters pension procedure and identification process	24
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Farming and Agriculture -21

Details of irrigation canals, maintenance and construction, lack of irrigation facilities	9
Information regarding animal husbandry and animal health	6
Issues pertaining to agriculture, dairy and horticulture	6

Panchayat -17

MNREGA – details of Job card holders and work completed under MNREGA	7
Details of Panchayat Ghars and lack of Panchayat Ghars in the villages	5
Details of the First Aid box at the panchayat	1
Sanitation in the village (dustbins)	1
Sanitation – building of toilets in the village, sanitation in the roadside market	3

Disaster – 12

Disasters – compensation given and received, roads broken due to the disaster ,list of people affected by the disaster	12
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RTI Specific -5

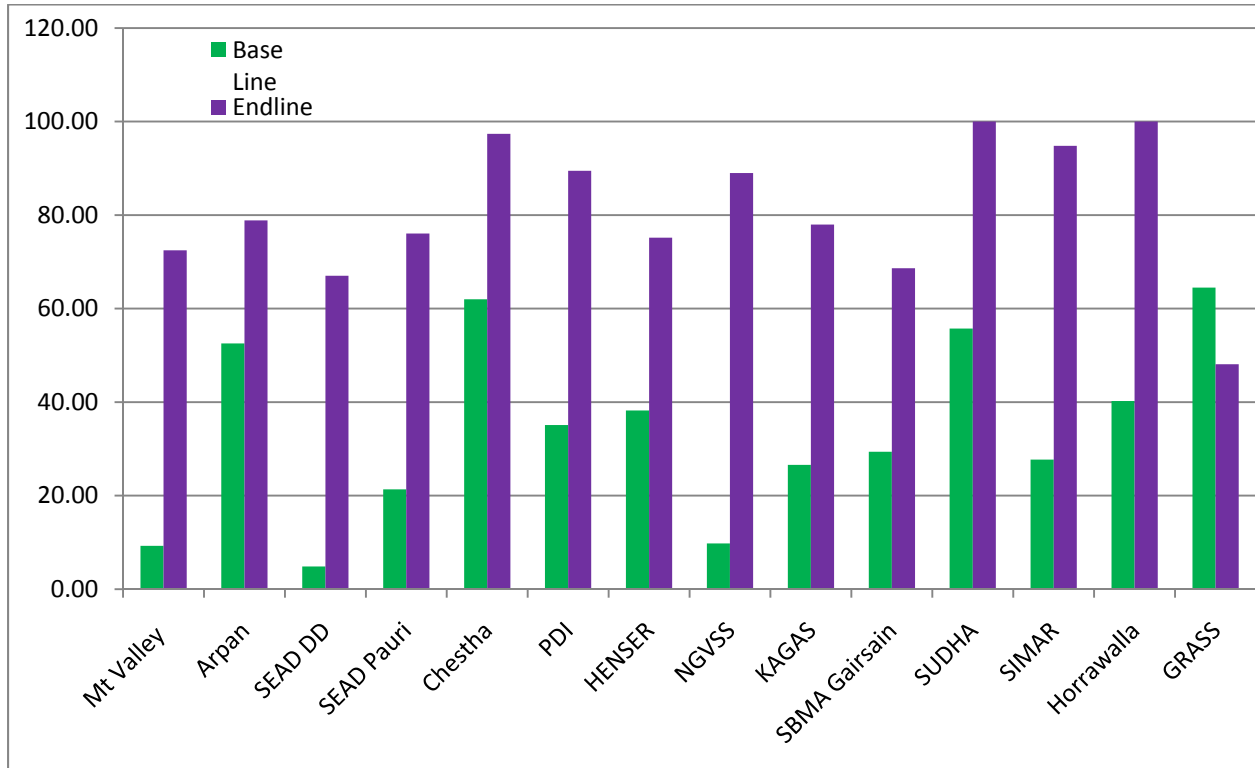
Cost of Non Judicial stamp paper	2
Non availability of Postal Orders at the post office	2
Information Board	1

Others – 47

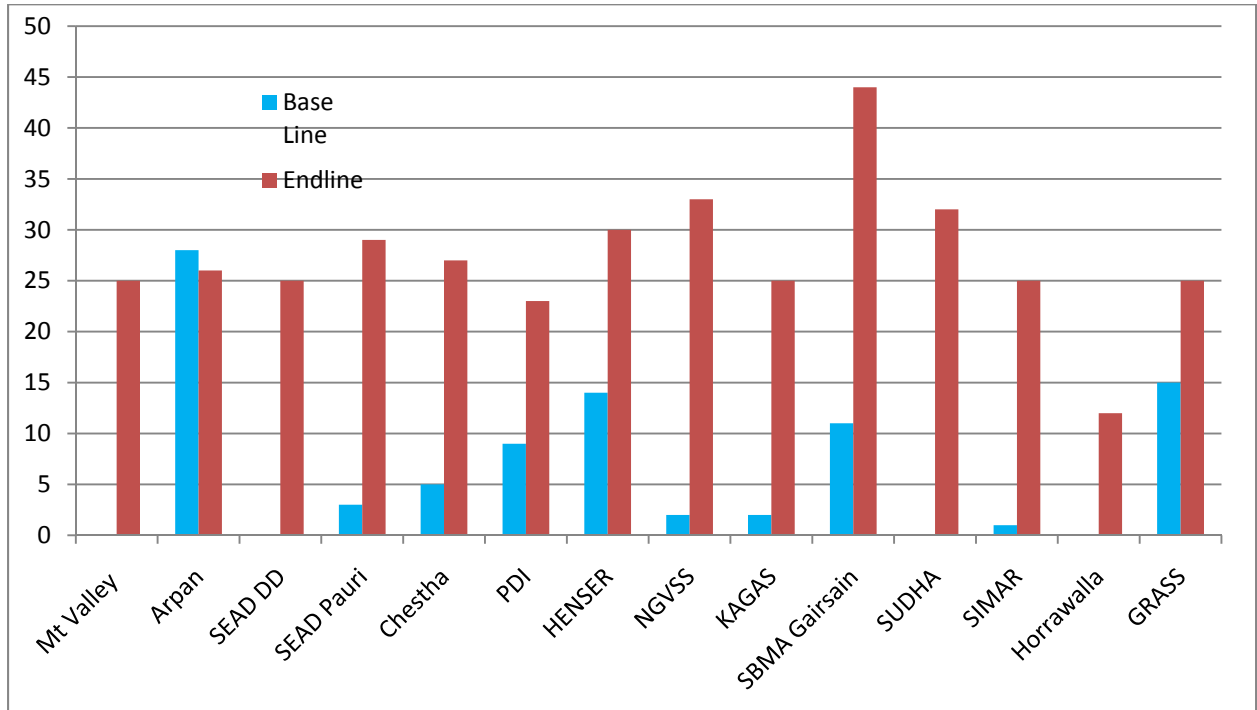
Housing – Details of how to apply for Indra Awas and Atal Awas, list of beneficiaries of the Indra Awas and Atal Awas	15
Forest – cutting of trees, Van Sampada, safety of villagers from wild animals	7
Tourism – details of tourism and tourist information centers	5
Distribution of LPG and procedures of getting new gas connections	3
Information on bus routes and their fare	3
Voter cards – procedure and number of women voters	2
Mobile Tower back up and quality	2
Pollution of the River Ganga	2
Information from the Women’s Commission	2
Industry – work being undertaken by the Department of Industries	1
Details of jobs available at the panchayat level	1
PWD employees pay scale	1
UREDA	1
FIR	1
Atal Khandyan Program	1

Annex 2

➤ Those who know about RTI – Comparison of Base Line and Endline Survey



➤ Those who have filed RTIs – Comparison of Base-Line and End-line Survey



19 Awards were given to the following children:

Chesta – Nainital

- Monika Arya had a commerce teacher appointed to the school and water to her village.
- Karan Kumar got a road repaired after 13 years
- Meenakshi Arya's email got the gas supply ensured in the village as the vehicle now stops at their village.

Simar – Bageshwar

- Ravinder Pandey got the road to his village repaired.
- Sonia Khati's application got the BPL Survey redone and the needy peoples name was added to the BPL survey list.

SBMA – Gairsain – Chamoli

- Harikishan Bamola got children births registration certificates and ensured the spread to RTI awareness in her village.

Arpan – Pithoragarh

- Sanjay Chandra got information about Indra Awas Yojana and helped other families make use of the program.

Kagas – Champawat

- Sanjay Pant got his long overdue BPL card made.

SEAD - Pauri Garhwal

- Shivanshi Dev was able to get the electricity voltage sorted out.

Mt Valley Development Association – Tehri Garhwal

- Mukesh Singh got two toilets made in the primary school
- Akshay Kumar got the electricity voltage sorted out for 65 families. A new transformer was placed.

Naina Gramin Vikas Seva Samiti – Udham Singh Nagar

- Saurabh Sharma – created a display on RTI and generated awareness of the act through his display. He also ensured that Madan Singh would get all his money for his house under the Indra Awas Yojana
- Shivam Sirvastav got Mr Kishan Pandey's BPL card made.
- Krishan Kumar got an Anganwadi opened in his village

SUDHA Almora

- Jagdeesh Kumar through his RTI got the water pump that was not working changed and now the new pump is providing water in the village.

Hensr Uttarkashi

- Abhishek Uniyal asked about compensation given during the disaster of the last monsoon and he generated awareness about the compensation distributed in his village that showed the way for others in the village to file RTI application.
- Aman Badani filed an application about the cost of a non judicial stamp paper which was being sold at Rs 15 against the Rs10 rupee cost. The cost for the non judicial stamp paper is now Rs 10.

Chahat Nainital

- Kavita Bist's RTI has ensured that the ANM will visit their village on every Wednesday and the health committee at the village level now meets regularly.
- Champa Bist's RTI got 3 new lecturers appointed to the Pokhrad Degree college

