

Success Story:

Villagers in Gujarat use RTI to improve health care services

In a small village called Boru in Gujarat ordinary citizens have made use of the RTI to ensure that the designated authorities fulfill the villages' health care needs. Lack of proper infrastructure and the closest Primary Health Centre (PHC) 8 kms away many villagers failed to get the desired and necessary health care. Pregnant mothers and children were the most vulnerable and many have died due to inadequate medical attention and facilities. For the last four years villagers from Boru had been writing complaints to the officer at the PHC as well as to their MLA. The health workers designated for the village who is required to make 3 visits in a week to provide immunization to children and pregnant women, provide iron tablets to pregnant women and provide TB patients with the required medication had not been carrying out her duties. She came to the village for an hour, 3 times in a month and only if villagers approached her did she carry out her duties. Unable to get a response on their complaints a few villagers got together and filed an RTI application with the Doctor at the PHC (who is also the Public Information Officer). In their application the villagers asked, under the PHC, what health facilities are available to Boru village? What assistance is provided to TB patients and what facilities are available to pregnant women? They also asked the number of health workers assigned to visit Boru village, and how often were these health workers required to visit the village and what were their responsibilities? Within days of filing the RTI application, the designated health worker started visiting the village every single day of the week, carried out the immunization of children and pregnant women, attended to small health problems of villagers and distributed medication accordingly. The villagers were pleasantly surprised by this change in behaviour of the health worker. Even though the RTI application had got the desired result the villagers persisted with the authorities to provide the information requested. *Source: CHRI*

International News:

Inter-American Court Finds Fundamental Right of Access to Information

In the first decision of its kind from an international tribunal, the Inter-American Court of Human Rights ruled yesterday that there is a fundamental human right to access government information.

In the case of *Claude Reyes and others vs. Chile*, the Court found in favor of three environmental activists who in 1998 sought information from the Chilean government about a controversial logging project. By failing to provide access to the requested information, the Court held that Chile had violated Article 13 of the American Convention on Human Rights, which guarantees freedom of thought and expression.

According to the Court, Article 13 contains an implied right of general access to government-held information, and States must adopt legal provisions to ensure the right is given full effect. The Court specifically ordered Chile to provide the requested information about the Rio Condor logging project or to issue a reasoned decision for withholding it, as well as to adopt adequate administrative procedures to protect the right in the future and to train public officials to uphold the public's right to information.

International advocates of transparency in governance and the right-to-know applauded the precedent-setting court decision. "The Court has ruled that freedom of information is a fundamental personal, social, and civic right, and a critical component of a full transition to democracy," said Peter Kornbluh who directs the Chile Documentation Project at the National Security Archive. According to Helen Darbishire, Executive Director of Access Info Europe, the decision "will be invaluable for activists who need government information to defend other human rights, protect the environment, and fight corruption." *Source: October 12 2006 (<http://www.freedominfo.org/news/20061012.htm>)*

State News:

Gujarat

In a landmark precedence-setting judgment, Gujarat's Chief Information Commissioner (CIC) R N Das has ruled that "file-notings" are part of "information" under the Right to Information (RTI) Act, 2005, directing the Urban Development Department (UDD) here to let public have access to the notings. In the case of *Premshankar Bhatt vs SPIO UDD*, the verdict asks the department to allow Bhatt to inspect the files, and provide information sought within 15 days from the receipt of the order. In the most significant observation, Das has held that the contention of the officials that disclosing file notings would be detrimental to an honest expression of opinion by them does not hold ground. "It is hypothetical whether disclosure of file notings would hinder expression of clear, unequivocal and honest views by the officials," he said. Going a step ahead, the judgment observes that the practice of disclosing file notings would, in fact, strengthen expression of honest and clear views on the file.

Bihar

The Patna High court has issued directions to the Bihar Government regarding the delay in appointing Public Information Officers under the Right to Information Act. A division bench of the court comprising Chief Justice Dr J N Bhatt and Justice Shailesh Kumar Sinha issued the directive to the state government during hearing of a public interest litigation petition filed by state Congress chief spokesman Prem Chandra Mishra in this connection. *Source: www.indialawnews.com*