

DATA FLOOD IN INDIA AFTER RTI

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64 years ago, when India became Independent, sceptics predicted that democracy cannot succeed in a country like ours. Yet no country has more heroically pursued the promise of democracy. Against the odds of staggering poverty, conflicting religious passions, linguistic pluralism, regional separatism, caste injustice and natural resource scarcity, Indians have lifted themselves to become a stalwart democracy and emerging global power. One of the reasons for this are the strong institutions that we have, among them, an independent judiciary, defense services that are absolutely non-political; and last but not least, a free and fair press.

The media in India have been fiercely independent. And it is with a large measure of pride that I say that the magazine I work India Today was responsible for the resignation of Prime Minister I.K. Gujral. Having said that, I must also say that the media work under great constraints, largely due to the obstacles that governments frequently put up to hinder journalists exposing government misdoing.

It is in this context that when, after a long battle, Right to Information (RTI) i.e. Freedom of Information (FOI) Act was made a reality in India in October 2005, it was supposed to be a great weapon for ordinary citizen to make government machinery accountable and transparent. Within just few months of implementation of this act many success stories started coming out. These were related to small issues of lives of ordinary citizen like problems related to ration cards, electricity, passport, telephone, school admission etc. Many scandals in last five years involving politicians and bureaucrats, defence personnel were unearthed and in many scandals the course of investigations were changed due to credible documents received through RTI Applications.

This is still going on and due to some recent revelations of inter-ministry conflicts government representatives has started targeting the openness under this act. But common citizen apart, what the journalists need to do under RTI Act? After the enactment of this historic act, the editors at India Today thought that it could be a greater weapon for investigative journalism. Considering that with the growing number of news channels, news papers and magazines the competition for getting something EXCLUSIVE through traditional means of investigative reporting had become more and more difficult, they assigned me to explore and expose the mismanagement of public money at high offices of our country, by using this act.

That is how I started to work on this new dimension of investigative journalism. In fact, there is no prominent government office in the country including union ministries and departments, their subordinate offices, Public Sector Undertakings, investigation agencies, police organisations, Lok Sabha and Rajya Sabha secretariats, Election Commission of India, planning commission, Central Vigilance Commission, state governments, chief ministers offices, secretariats of state assemblies and legislative councils where my RTI applications have not reached. Wherever I smell a story I filed an RTI. Some stories have already been published and many more are in the process. I have so far filed around 2500 RTI applications across the country and many stories were result of these.

In a news organisation no journalist can think that his or her employers will allow him or her to work for months on a single story, therefore I work simultaneously on number of ideas and file them when they get matured. Like, the story selected for UNESCO CASEBOOK this year STREAMS OF FILTH was a result of around 39 RTI applications and it took almost a year before it was published in India Today dated 30th December 2009. In the process I collected the information from various stake holders of the river pollution control mechanism in our country one-by-one.

First and foremost story under this exercise was published as FREQUENT FLIERS and the headline on cover was THE FLYING CABINET. That was a cover story in our magazine dated 18th February 2008 but it needed lot of patience and persistent efforts. Crux of the story was: "Seventy-one of the 78 UPA ministers (besides prime minister) have made 786 foreign trips spending about 3,798 days and travelling 1.02 crore km in 1,287 days." Getting this information from an office which is more trained for hiding the information was not an easy task. I filed first RTI application on 27th September 2007 to Prime Minister's Office asking the details of foreign travels made by union ministers with a format as countries, cities, dates, number of companions, expenses made etc. In fact, in response to that application, they provided every detail baring the purpose of visit and the expenditure made upon those trips. For expenses it said, "The culled information does not include expenditure involved in each trip which this office does not maintain and may be obtained from individual ministries/departments." Therefore, with in next two days I sent RTI Applications to each and every union ministry asking for the details of foreign travels made by union ministers in each ministry. I got reply from each ministry baring Defence and Textiles and for these two we used the information gathered from PMO. In fact, the information of all the ministries was cross checked with the document provided by PMO. I compiled the relevant information and calculated the distance covered by each and every minister and when I totaled the distance of travels made by all the ministers it was 1.02 crore kilometres and when I divided it by the circumference of the earth the result was 256 and that was the punch line of my story that "THE MINISTERS OF THE UPA TRAVELLED AT WILL TO LOG ENOUGH MILES TO CIRCLE THE EARTH 256 TIMES." This story was a result of four month exercise and information was gathered through 59 RTI applications from all the union ministries.

Impact of this story was that after a few months on 4th June 2008 Prime Minister Mr. Manmohan Singh wrote personal letters to all of his ministers that they should curtail the foreign travel expenditure and thus the issues raised in our story were proved. His letter was addressed to every minister and part of it was like this: "I am, therefore, writing to ask you to severely curtail expenditure on air travel, particularly foreign travel, except in cases where it is deemed to be absolutely necessary. This economy may be made applicable immediately for your own self and also for all senior functionaries in your ministry."

Soon, I filed RTI applications to all union ministries asking the details of foreign travel made by the bureaucrats of director and above ranks for the same period as for ministers. It took around six months to come the information from each ministry baring three, and I compiled the figures from the information we received in 1297 pages in total and calculated the distances of foreign travel destinations of bureaucrats like I did in the Ministers' story. It took over a month to calculate the distances of destinations of around 10,000 trips made by such officers excluding the long stay travels for fellowships/study tours etc. Even a minor mistake could have created a problem for me, therefore, I did not take any chance and I crosschecked the data again and again. This time the formula of circumference of the earth has become old, therefore I thought something new. When final figures of bureaucrats' mileage came out as 5.65 crore kilometers I divided this figure by the distance of moon and back and the result

was 74. Therefore, this was the punch line that “1,576 officials of 46 Central ministries have travelled 5,65,62,426 kilometers, which is equivalent to 74 trips to moon and back. They collectively stayed abroad for 24,458 days (over 67 years) and spent over Rs 56,38,03,300 in less than three-and-a half years (January 1, 2005 to April 30, 2008) on official trips.” This story was published in India Today dated 15th September 2008. The information for this story was result of over 80 RTI applications, reminders and appeals.

Both these stories of foreign travel made by the people who are running our government system created lot of discussion and curtail the foreign travel expenditure had become a slogan of austerity drive thereafter. Few days after the bureaucrats foreign travel story the union Finance Ministry issued two circulars (dated 23rd September and 1st October 2008) regarding the austerity in foreign travel and the last circular dated 1st October 2008 said, “All mileage points earned by Government employees on tickets purchased for official travel shall be utilised by the concerned Department for other official travel by their officers. It is responsibility of the officer concerned to ensure that free mileage points are used only for official travel and not for personal trips. Any other incentives and similar packages like free companion etc should be so negotiated by Ministries/Departments so that the benefit comes to the department.”

Though, I realised that on some of the ideas my efforts were waste but many ideas worked well and made an impact. And that is main inspiration and motivation along with my editors’ support for me to explore more. There are number of experiences in my mind through this exercise that how thick skinned our bureaucracy is. Interestingly, when I filed separate RTI applications to the Prime Minister’s Office and the Cabinet Secretariat, the two high offices of our system, asking them about the implementation of code of conduct for union ministers with regard to declaration of their assets and liabilities. The PMO responded that the requisite information was concerned with Cabinet Secretariat and the Cabinet Secretariat responded that the same was concerned with the PMO. The said code of conduct came into existence way back in 1964 by a resolution of union council and its copy was forwarded to every state government to follow the same. But it was not being implemented since it is not mandatory. The responses of both high offices were reflecting the confusion of implementation of the same. I sent the letters back to both offices with one’s response to other. After all I got a letter from Cabinet Secretariat that they were compiling the information and will get back. Our story about this confusion among authorities was published as OPEN SECRET in India Today dated 30th June 2008. Success to it was that many RTI activists started the same exercise and finally in the present government, all the ministers have filed their details of assets and liabilities and now it has been put on the website as well. That was a great impact created by our story. Thanks to similar exercise a story was published on the system of assets declaration in provinces’ government. The impact was too quick that the story on their apathy was published in February 2009, and now the governments of every province are implementing that system one-by-one which was not implemented since 1964.

Another experience I have is the dealing with Central Bureau of Investigation (CBI). For a story it took me complete one year and I had to file over 100 RTI applications, reminders and appeals. In fact I filed an application to CBI asking the details of anti corruption cases registered against the officers of Indian Administrative Service (IAS), India Police Service (IPS) and Indian Revenue Service (IRS) during last 15 years. I compiled the list of accused bureaucrats and send to the Central Vigilance Commission (CVC) and the Department of Personnel and Training (DoPT), Ministry of Home Affairs (MHA) and Ministry of Finance, the cadre controlling authorities for IAS, IPS and IRS respectively, asking that what actions

have been taken against them till date. The story was published as A LOT TO HIDE in India Today dated 7th April 2008 and the crux of the story was that “The cozy relationship that bureaucrats share makes the wheels of justice grind real slow.”

Another interesting experience is with Life Insurance Corporation of India (LIC). We came to know through my application from LIC that there have been 5.91 crore policies which were lapsed permanently during seven years due to discontinuance of the premium. I thought, the huge money of ordinary citizen went to government accounts, therefore, I filed another appeal requesting that how much total money have been deposited against those policies till the date they lapsed permanently. They responded that the requisite information was exempted since it will divert extra ordinary resources. When I approached Central Information Commission (CIC) the Information Commissioner Mr AN Tewari decided the case against me. But we posted a single column story on our website on 24th December 2008. It impacted very quickly and on 19th January 2009 LIC issued an advertisement in prominent newspapers that it was going to launch the revival scheme for revival of those (permanently lapsed policies) for the first time. To know that whether it was really first time in the history of LIC, I approached LIC and it confirmed us that "We have launched this revival scheme for the first time as an experiment. After examining the responses of policy holders, we will decide what to do further with our rules." It was clear that it was an impact of my story.

There are number of such stories which are finding space in India Today time to time. In my experience, the RTI is as much powerful weapon for media as is the article 19-1-A of Constitution of India which gives Freedom of Speech and Expression. In the age of media revolution where everybody is struggling for exclusive and credible information we have proved that the RTI act is a great weapon but unfortunately there are very few journalists who use this act for their professional purposes. One more problem is that the government machinery which is trained to hide the information is by the time learning that how to mishandle the RTI application and how to confuse the applicant. But RTI Act has certainly so much power that the government servants can be forced to work properly if they want to remain on their posts. With the effectiveness of this act only those people may prefer to join the government services who want to be PUBLIC SERVANTS in real sense. Other stories include that how the 20 percent personal foreign trips made by union ministers have been for Dubai; how the Deputy Chairperson of Planning Commission has made 42 foreign trips abroad in seven years and spent every ninth day abroad. There are numerous such ideas I am still working upon.

RTI has certainly opened a new scope for media but unfortunately most of the media is depending upon Non Government Organisations (NGOs) and some RTI activists for this type of information. There are very few journalists who are visualising ideas themselves and exploring information from the government machinery using RTI act. Thanks to far sightedness of our editors, we at India Today are exception in this regard and we are getting information under RTI. Most of my stories which were explored through RTI applications were almost impossible without RTI Act. It is fact that, out of 78 ministers involved in ministers Foreign travel story and around 1500 officers involved in officers foreign travel story there was not a single rejoinder from anybody in contradiction of our facts and that's the beauty of RTI act for the media. But this is up to the media to make this reality. At India Today we did it and we are still doing it. We have proved that RTI is a great weapon for media. And while the RTI Act is a reality in over 70 countries, it is for journalists to make the best use of it let people know what their rulers are doing in the name of governance.

Shyamlal Yadav is Senior Editor with India's leading weekly India Today and is awarded by number of journalism awards at national and international level for his journalistic work. His list of awards include: Lorenzo Natalie Journalism Prize (2010), Developing Asia Journalism Award (2010), Best Investigative Reporter of India (2010), First National RTI Award-2009, Statesman Rural Reporting Award-2007.