Study of Capacity Building Interventions among the marginalised to utilize RTI effectively

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LIST OF ABBREVIATIONS

BPL   Below Poverty Line

CBI   Central Bureau of Investigation

CIC   Central Information Commission

CSO   Civil Society Organisation

DoPT   Department of Personnel and Training

D.K   Dakshina Kannada

FIR   First Information Report

FOI   Freedom of Information

IC   Information Commission

IPO   Indian Postal Order

MKSS   Mazdoor Kisan Shakti Sangathan

NAC   National Advisory Council

NGO   Non-Government Organisation

PDS   Public Distribution System

PIL   Public Interest Litigation

PIO   Public Information Officer

RTI   Right to Information

SC   Scheduled Caste

SIC   State Information Commission

ST   Scheduled Tribes

Chapter - 1

INTRODUCTION

The Right to Information Act [RTI] passed by the Indian parliament on June 15th 2005 intended to provide citizens a tool that would enable them to access information that are held by Government or Public Authorities. The RTI Act was aimed at promoting transparency and accountability in the functioning of the government and opening the administration to public scrutiny. One of the major aim of the Act was to assist the disadvantaged section of people in India to claim their rightful share of the facilities and services of the government.

1.1   HISTORY OF RIGHT TO INFORMATION IN INDIA:

While the public disclosure of the government records was upheld by the Supreme Court in the case of State of Uttar Pradesh V/S Rajnarain, 1975, the citizen's did not have a proper channel or mechanism through which they could access information. The government at various levels revealed information only on need-to-know-basis either through Public announcement or media. Moreover access to information held by the government was severely limited by legislations such as the Official Secrets Act, Indian Evidence Act and the Civil Service Code of Conduct Rules.

In some cases public records were made accessible through court orders. However pursing such methods such as court appeals was expensive and time consuming moreover by the time the information was accessed it lost its value because of the delay in court orders. Generally the citizens were denied access to information as government bodies considered it as a matter of discretion to provide information of its activities. The marginalised sections were the worst affected in the process.

Following the successful advocacy movement by marginalised groups such as Mazdoor Kisan Shakti Sangathana [MKSS], several state governments such as Goa and Tamil Nadu in 1997, Karnataka and Rajasthan in 2000, Delhi on 2001, Maharashtra and Assam in 2002, Madhya Pradesh on 2003 and Jammu and Kashmir on 2004 implemented transparency laws such as RTI in their respective state. However until 2005 there was no central law in India that established a uniform framework to enable citizens to access public documents. While the Shourie Committee in 1997 drafted a bill titled Freedom of Information [FOI] which was passed by the Parliament and enacted in 2003 it was limited in scope. The National Advisory Council [NAC] chaired by Aruna Roy drafted the first version of the Central RTI Act. With due deliberation and modification by the parliamentary committee and later the legislative process the act was passed on June 15th 2005 and implemented on October 13th 2005. The RTI Act nullified the authority of Official Secrets Act, Indian Evidence Act and the Civil Service Code of Conduct Rules. It replaced the earlier Freedom of Information Act.

1.2 SCOPE OF THE RIGHT TO INFORMATION ACT 2005

The RTI Act covers the authorities both at Central, State government and Union Territories, with exception to Jammu and Kashmir and also organisations and institutions that are substantially or partially funded, controlled or owned by Government.

The Act requires the respective institutions to appoint team comprising of an Assistant Public Information officer [APIO], Public Information officer [PIO] and First Appellate Authority [FAA] within 120 days of its enactment. RTI Act directs the APIO to accept and redirect RTI application to the concerned PIO within 5 days on receipt. A satisfactory reply must be provided by the PIO to the applicant within 30 computed

days of receiving the application. Since RTI is a paid service, it becomes an obligation on the part of the PIO to provide information or deny it by providing appropriate cause. The Central or State Information Commission can penalise the PIO a sum of Rs 250/- a day, maximum up to Rs 25,000 for failing/ deviating to respond to the query.

The Act also requires the appointment of Central Information Commission [CIC] and State Information Commission [SIC] to resolve the ambiguities within the scope of RTI and whose decision will be binding both on the RTI applicant and the Public Authorities.

While security and intelligence agencies are exempted from the Right to Information Act, the PIO's of the concerned department must reveal the matters pertaining to corruption and violation of Human Rights within 45 days after intimating and getting approval of CIC.

The RTI applicant has to provide basic information such as the name and correspondence details attested with the application and mention the mode of payment of fees. The payment for the RTI query can be made through by cash for receipt, demand draft, cheque or Indian Postal Order [IPO] addressed to the PIO of the department. The applicant cannot be either coerced to provide reason for seeking information or to disclose any personal information, or refused information on these grounds. The Section 8 of the RTI specifies exemption from the Act:

- Documents holding information dealing on Security, Strategic and Intelligence inputs of India or a foreign nation, information that would hurt India's national interest, ones prohibited by court orders, those breaching parliamentary privileges, those that would derail investigation.

- Information received in confidence from the foreign governments, commercial secrets, competitive interests, if any information should endanger safety, unwarranted breach privacy, information those are fiduciary in nature.

However, having said that Section 8 (2) also clarifies that if information serves a larger public interest then, the competent authority must reveal it. The RTI Act also necessitates the Government to spread awareness to its employees and public in general on the provisions of RTI. It requires the competent authorities to publish Name, designation, communication details of PIOs, APIO's, and FAA along with fee details among others.

1.3   PURPOSE OF THE STUDY

A major obstacle to the effective implementation of the Act is the lack of adequate capacity among the marginalised sections of the society to use the Act to ensure accountability and transparency in the working of the government authorities and access the public service programs meant for their well being. Efforts have been made by the civil society groups and government agencies to build the capacities of the individual or groups to use the Act.

This research is an attempt to study the effectiveness of capacity building interventions of RTI on the marginalised groups in the region of Dakshina Kannada and Udupi district. Though these districts have excelled in the field of human development especially education, adult franchise, industry and economic programs. A significant section of the population continues to suffer due to discrimination, exclusion and marginalisation. The Act's such as RTI that aims at enabling the marginalised to access the benefits of progress is yet to outcome in the region. Most of the government programs, public utility services and Public distribution system have failed in reaching

out to the members of these marginalised groups. Since these groups lack information and bargaining power they are victim of corrupt practices, inefficiency in delivery of services and nepotism. A significant amount of government revenue is not used for the purpose for which it was sanctioned. Unless the Marginalised participate in governance and make the administration accountable, these groups will continue facing inequality in social, economic and political fields that would further intensify their deprivation from basic necessities and denial of rights.

Though, there are large number of Self Help Group's [SHG's] and Non Governmental Organisation [NGO] have started using RTI, the knowledge produced by these organisation and their experiences have not been pooled and disseminated.

1.4   ABOUT DAKSHINA KANNDA AND UDUPI DISTRICT

Dakshina Kannada [D.K] and Udupi districts are located in the Southern-West coast of Karnataka, while D.K consists of 5 taluks, Udupi district has 3 taluks. These districts share a common boundary with Arabian Sea to the west.

According to the 2011 census the estimated population of Dakshina Kannada and Udupi District are 2,083,625 and 1,112,243 respectively. Prior to 1997, Udupi region constituted part of Dakshina Kannada district. The economies of these regions are driven by sea trade, agriculture industry and commerce.

In-spite of the progressive background of the region, the vast population of minorities, Scheduled caste, Scheduled Tribe, other Backward Caste are substantially marginalised as in other parts of India. These groups are subjected to various discriminatory practices on the basis of caste, class, gender, and thereby suffer, exclusion and from economic, social, political and cultural institutions. In recent

decades there more intensification of divisive tendencies among faith cased communities, which has become a major hindrance to programs.

The RTI Act has been used in the region by many social activists and NGO's since 2006.

Chapter 2

OBJECTIVES AND RESEARCH METHODOLOGY

2.1   INTRODUCTION

This research conducted attempts to study the effectiveness of intervention to enhance the capacity of the marginalised to use the RTI Act. Since RTI Act, came into existence primarily due to the marginalised groups such as MKSS which sensitized the public, media, administration, civil societies and political parties it is yet to become an instrument for the marginalised groups to come out of oppression and exploitation in different regions of India.

2.2   OBJECTIVES

2.2.1 General Objectives: The research identified those hurdles that the facilitators/trainers face in the capacity building process of the marginalised in pursuing RTI. While understanding the utilisation of Act by the marginalised groups and their perspective on the trainer's competencies, it also realizes the gaps wherein the trainers could employ practical methods to facilitate better understanding of the RTI among the marginalised.

2.2.2   Specific Objectives
- To study the perception of facilitators/trainers regarding the capacity building intervention among the marginalised groups in using the Right to Information Act- 2005.
- To identify the Knowledge, Skills and Attitude that need to be integrated into the RTI capacity building programs with the Marginalised groups.

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- To study the perception of respondents regarding the facilitators and the gaps in their knowledge and skills to work with the Marginalised in this direction.

- To pool the experience based insights of the facilitators/ trainer and the participants of the Marginalised on the subject.

- To recommend a plan of action to facilitate capacity building among the Marginalised through the facilitating agencies.

2.3 RESEARCH DESIGN

The study will be a explorative research. A questionnaire guideline interview draft with variable questions, rating and yes/no questions were provided for 60 marginalised members. In the questionnaire guideline method the respondents were promised confidentiality and anonymity, the replies received were then tabulated.

The researcher using interview schedule interviewed 15 facilitators and also conducted case study of two RTI facilitators to understand the variation between non-participatory and dialogic method of training.

2.3.1 The Questionnaire Guideline Interview: The study is an explorative research. A questionnaire guideline interview was conducted to the perception of the marginalised on the RTI Act and to assess their grading on the competencies of its facilitators.

The details of the demography such as Name, Gender, Educational Qualification and Age were collected from the respondents. The personal details of the marginalised respondents were correlated with the different variables involving RTI such as their years of experience, purpose of utilisation and their perception on training's effectiveness. Similar Questionnaire Interview was conducted for RTI facilitator's to

understand their perception on competencies required by the Marginalised and the pedagogy of education they used.

2.3.2 Questionnaire Design: The questionnaire was a combination of open, close and multiple ended questions. The introductory questionnaire focused on demographic information and the rest of them on the respective perception of the marginalised and the facilitators. The questionnaire was designed to be short to facilitate batter understanding. Also it gave closed, open and multiple options so that it facilitates actual reflection of the respondents.

The data procured was manually organised and entered into a database for creating and analyzing different variables.

2.3.3 Respondents: The study was targeted at marginalised groups and RTI facilitators in various taluks of Dakshina Kannada and Udupi District. Irrespective of age the marginalised members and RTI Facilitators who have utilized RTI on the basis of random sampling were selected from different taluks to ensure unbiased study.

A total of 60 questionnaires to the marginalised and 15 for the facilitators were printed and randomly administrated to the marginalised members in St. Aloysius College. Due to the time limitations the study had to be limited to Dakshina and Udupi District.

2.3.4 Presentation of Results

The data was analyzed to study the Capacity Building Interventions among the marginalised to utilize RTI effectively. The data are presented through case study, diagrams and tables.

2.4   INTERVIEW METHOD

To find the perception of the facilitator's on the competency required by the marginalised members in using RTI, an interview of all the 15 RTI trainers were conducted. The questions mainly focused on their experiences in training the marginalised and their perception on the importance of Knowledge, Skill and Attitude factors in the capacity building process.

Chapter 3

REVIEW OF LITERATURE

3.1   INTRODUCTION

Indian society has been marked by social, political economic inequalities since millennia and vast section of people have been subjugated on the basis of class, caste, religion, gender, lineage, disability and sexual preference. The pro-dominant ideas such as norms, mores, values, culture have been imposed on the subaltern groups by the dominant sections of society subjugated them to a "Culture of Silence."

Even after Independence the condition of the vast section of the marginalised groups has not changed significantly, despite the constitution mandate and planned effort to facilitate the development of these groups. As a result they continue to suffer due to poverty, hunger, ill health, social and cultural alienation. The laws such as Right to Information need to become a tool for the marginalised groups to enquire certain aspects of their marginalisation, exclusion and discrimination. Their ability to question the policy decisions and the mode of programs and services by the government has to increase if they have to use such Acts as RTI more efficiently.

3.2   MARGINALISED SECTIONS AND THEIR NEED FOR ACQUIRING COMPETENCIES TO TRANSFORM THEIR SITUATION

In order to transform their own situation it is very important that the Marginalised section emerge out of the Culture of Silence. They need to protest against all acts that violate their Human Rights through discrimination and exclusion. Their

access to resources inclusive of opportunities and competencies is very limited in a situation of social inequalities. Hence there is need for competency building intervention among the marginalised groups to enable them not only to question their status quo but also claim their rights inclusive of the Right to Information.

The competencies of the marginalised group cannot be restricted to knowledge and skill based only. Transformation of their unquestioning and uncritical attitude is also must. By making them involved in collective actions to resolve their issues, the marginalised groups acquire capacity to become the change agents. So, action reflection pedagogy and not merely classroom-centered pedagogy is needed to facilitate change in the consciousness of the marginalised group and enhance their competencies.

The present hegemonic structure of education system forces the Marginalised to accept the dominant values, beliefs, culture without questioning and does not critically sensitize them to their social realities.

> Paulo Freire in Pedagogy of the Oppressed, (1970) says "Education has become an act of depositing, in which the students are the depositories and the teacher is the depositor… the teacher issues communiqués and makes deposits which the students patiently receive, memorize and deposits. This is the "banking" concept of education… whereas the banking method of directly or indirectly reinforces men's fatalistic perception of their situation, the problem posing methods evokes new challenges, followed by new understanding."

The current education system primarily aims at providing human resource to the employment market; it is merely supplying indoctrinated agents, who are systematically trained to fit into the existing unjust systems of the society. As a result the Marginalised become allies of the dominant groups, furthering their subordination. Their capacities for critical thinking, self reliance or problem solving capacity do not

develop and they do not develop the courage and the confidence required to protest injustice.

This, in turn, has a crippling effect on their ability to compete in the job market and increases their sense of alienation from the fruits of the labour. Concern about this problem has led sections of Scheduled Caste [SC] and Scheduled Tribe [ST] communities to advocate the need for separate schools for their children in which they are taught by committed teachers and are able to develop a positive sense of self. Some such schools have been established with support from NGOs and educationists and, in rare cases, on the initiative of the government. For instance, in Andhra Pradesh the government has set up residential schools for SC students that are seen as successful in bypassing the problems encountered in regular government schools.

3.3   BLOCKS TO THE EMPOWERMENT AND DEVELOPMENT OF THE MARGINALISED SECTIONS.

The reason for the exclusion of the Marginalised section even after 65 years of Independence is due to several structural, cultural and personal factors. The policies and programs are made without the participation of the marginalised groups and often fail to remove the root causes responsible for their situation of powerlessness and poverty. The Culture of apathy of the Marginalised groups extends their unquestioned conformity to the –ism's of the elite minority.

The unjust structures such as economic, political, educational have led to concentration of power in few hands. The dominant culture that is exclusive in nature and functions in an undemocratic fashion, without the inclusion of the oppressed. Hegemonic structures and values ultimately reflect in the personality of the Marginalised individuals who become passive agents in the society.

According to The Vienna Declaration and Programme of Action, 1993 "extreme poverty and social exclusion constitute a violation of human dignity and that urgent steps are necessary to achieve better knowledge of extreme poverty and its causes, including those related to the program of development, in order to promote the human rights of the poorest, and to put an end to extreme poverty and social exclusion and promote the enjoyment of the fruits of social progress. It is essential for States to foster participation by the poorest people in the decision making process by the community in which they live, the promotion of human rights and efforts to combat extreme poverty."

The Marginalised people have to attain critical sensitivities that require a different form of schooling such as the dialogic-problem-posing education that besides helping them to question culture and structure of domination also makes them recognize their own identities (internalized ideas and values of dominant culture).

The education pedagogy developed must be capable of enabling people to break their Culture of silence and boost their self confidence to use the laws such as the RTI Act as well as demand new laws and change the existing laws. The training must be coupled with an extended solidarity among the Marginalised to develop their collective movements.

Educational or training interventions that aim at bringing change in knowledge, attitude and skills among the Marginalised people need to consider the structural constraints to their development while facilitating change in personal capacities of the marginalised they need to be oriented to envision and work for promoting change in unjust social structures.

Chapter – 4

DATA ANALYSIS AND INTERPRETATION

4.1 INTRODUCTION

The data collected from the facilitators who enable the Marginalised groups to use RTI and from the representatives of such groups who have used RTI Act will be presented in this chapter. The descriptive analysis will be applied for the qualitative data and empirical analysis for the quantitative data. Tables and diagrams will be used where appropriate to correlate and highlight the findings of quantitative data.

4.2 STUDY OF THE RTI FACILITATORS

During the research 15 RTI felicitators were interviewed with the help of pre-drafted guidelines. The felicitators covered belong to different vocational socio-economic, educational, regional, caste, religious background. They share the objective of enabling the marginalised to resolve those issues that hinder their access to state allotted resources inclusive of effective, efficient and accountable public services and program.

While efforts were made to trace many RTI facilitators from referrals and by contacting civil society organisations, only 15 trainers were available for interaction at the time of the research study. All the selected facilitators are involved in capacity building initiative among the marginalised groups on the subject of RTI, either on full-time or part-time basis. They work individually without any organisational affiliation or through other right based civil society association, non-governmental organizations and

self help groups in various parts of Dakshina Kannada and Udupi district. They focus their attention to make the people of the marginalised groups to understand the significance of RTI and use it as an instrument to address their grievances and fulfill their legitimate demands from public authorities.

4.3   PERSONAL CHARACTERISTICS OF THE FACILITATORS

To begin with, the data regarding the personal attributes of the 15 facilitators covered by the study is provided in this section. This enables us to know the facilitators who have responded to the study.

Table 4. 1- Educational level and Geographical distribution of Facilitators across various taluks

Educational Level	Dakshina Kannada District					Udupi District			Total
	Mangalore	Bantwal	Belthangady	Puttur	Sullia	Udupi	Kundapur	Karkala	
12th STD and Below	1								**1**
Graduate	2	2	1	1	1	3	2	1	**13**
Post Graduate	1								**1**
Total	**4**	**2**	**1**	**1**	**1**	**3**	**2**	**1**	**15**

4.3.1 Educational Characteristics: According to Table 4.1 out of the 15 RTI facilitator respondents 13 of them are graduates, only one has acquired Post Graduate degree, another has been able to complete his Pre University education.

By this data we can see that the RTI facilitators having relatively higher levels of formal education. Higher educational qualification appears to be important in attaining awareness of the law and ability for its interpretation. Education provides them the confidence to impart training to others especially to the Marginalised groups.

4.3.2   Taluk Representation: The majority of the facilitators covered are from the two taluks of Mangalore and Bantwal, followed by Udupi and Kundapur. Other four taluks have only one representative each. It can be noted from the data that through the trainers are present in various taluks of Dakshina Kannada and Udupi. The majority of them were found to be concentrated in cities like Mangalore and Udupi.

4.3.3   Vocational Characteristics: The RTI facilitators come from different occupational backgrounds. There are agriculturists, social workers, Rights advocates and lawyers among them.

4.3.4   Caste Characteristics: There is also heterogeneity in the caste composition of the RTI facilitators. There are facilitators from Scheduled Caste, Scheduled tribe, and Other Backwards Castes as well as socially deprived section.

4.3.5   Gender Characteristics: Among the 15 RTI facilitators 9 of them were male and 4 were female.

4.4 FACILITATOR'S PERCEPTION ON THE SUBJECT OF RTI AND THE MARGINALISED GROUPS

The marginalised groups need to acquire various capacities such as Knowledge, Skill, and Attitude (K.S.A) to be able to utilise the RTI or any other law. The facilitators were asked to give their perception on the competencies needed by the marginalised for utilizing RTI. In response, majority of the facilitators agreed that merely providing knowledge of the RTI Act to the person from the Marginalised section of the society is not enough. Need based trainings have to be continuously imparted to increase their confidence level and proficiency in using RTI.

4.4.1 Competencies required by the Marginalised to utilize RTI: The trainers were asked to convey the competencies required by the marginalised to utilize RTI. The opinions expressed by each of the 15 facilitators provide us insights into their perception on the subject. In the Table 4.2 the felicitators have listed the competencies required by the Marginalised to effectively use RTI. The competencies listed by them can be categorized under Knowledge, Skills and Attitudes/Values.

Table 4.2 Facilitator's views regarding the competencies required by the Marginalised to utilize RTI

Factors		Number of Facilitator's	Total
Knowledge	RTI Legislation	9	**15**
	Social Awareness	4	
	Literacy	2	
Skills	Composing RTI	5	**15**
	Interpreting RTI	6	
	Prompt Follow-up	4	

Attitude/ Values	Confidence	5	15
	Selflessness	4	
	Critical Outlook	3	
	Social Concern	3	

As far as **Knowledge** is concerned nine facilitators say that detailed knowledge of the RTI Act and similar laws must be gained by the Marginalised groups to be able to use the same effectively. Four of them were of the view that social awareness has to be acquired by the marginalised for appropriate application of the instrument of RTI. Two facilitators consider literacy as an important element as it enables participants to access knowledge on the subject. In short some of the major knowledge areas listed by the facilitators as being important for the marginalised are as follows:

- Knowledge of the RTI application.
- Composing an RTI application.
- Mode of sending RTI application to Public Information Officials/ First Appellate Authority, Central Information Commission/State Information Commission.
- Identifying appropriate offices that handle various subjects.
- Different modes of payment to file RTI queries.
- Dealing with insufficient, irrelevant information and non responsiveness by the Public Information Officials by appealing to higher level authorities.

There are many Skill that need to be acquired by the marginalised groups not only to access but also to use the information acquired by them through the instrument of RTI. From the data it can be noted that three interrelated skill based competencies have been listed by the facilitators as being important for the marginalised groups and individuals who wish to use RTI. As many as five facilitators highlighted the skill of composing RTI application as being essential for those who use the act. As many as six

out of 15 felt the skill of interpreting RTI in relation to the issue at hand is also a very important skill based competency. There were also four respondents who added that skills needed to duly follow-up the RTI applications.

Confidence is the Attitude that five facilitators consider the participants must cultivate pedagogy to execute their role and responsibility. Four facilitators are convinced that selfless mindset as an essential factor for effective participation in the pro-democratic processes. Three of the RTI trainers feel that the marginalised applicants must have critical outlook towards society so as to use the provisions of the RTI in a appropriate manner. Social concern is another core value/attitude that three other facilitators feel that the marginalised must internalise for using RTI constructively to resolve issues related to public authorities and services provided by them.

According to Rama Bhat, a RTI facilitator from Udupi "The characteristic traits reflect the commitment of the participants to pursue their cause using RTI, it's also an added advantage that allows them to enhance their social concern".

4.4.2 Factors that motivate the Marginalised to use the RTI

The reason for the exclusion of the Marginalised section even after 65 years of Independence is mainly due to structural, cultural and personal factors. The structural factors such as judicial and administrative mechanisms, educational and economic institutions, policy decisions and the laws enshrined are primarily elitist and discriminatory. The Marginalised groups continue to remain excluded and subordinated in our society. The Culture of apathy of the Marginalised groups and their inability to participate in political, economic and social affairs makes their position vulnerable and thus extending an unquestioned conformity to the prevailing status-quo.

According to the facilitators marginalised members have several reasons to use the provisions of RTI, however this comes along with certain concerns why the marginalised do not use the same to resolve the issues.

Table 4.3 Facilitators perception of factors motivating the marginalised to use the RTI Act

Motivating Factors	Personal Problem	Social Concern	Learning Purpose	Association/Group Pressure	Total
No. of Facilitators	7	3	1	4	15

In the Table 4.3 out of 15 facilitators, seven facilitators claim that most of marginalised participants attend RTI sessions to resolve their personal issues; four of them feel participants attend due to peer pressure or group compulsion. Only three of the trainers say that the participants are motivated by social issues and concerns and only one of them opine that some Marginalised group members attend session with the sole purpose of gaining knowledge.

The facilitator's perception on objective or intention of the marginalised participants to attend RTI training enables us to design a more appropriate training module for the marginalised groups. This further would create a better mobilization and generate greater sensitivity among participants in RTI

The level of confidence of the applicants has to be enhanced by providing them knowhow of the application of RTI Act materials or inputs to update their understanding of the dynamic nature of RTI, thereby instilling confidence in them to interpret the legislation and utilise it effectively. Sustained use of such initiatives would ensure enhancement of both individual and collective leadership among the applicants of RTI.

4.4.3 Educational Methodology among the marginalised groups

The education pedagogy used has to consider the specific characteristics and the needs of the adult learners or the psychology of the adult learners and the gaps in the learning. The facilitators were asked to describe the methods of teaching to be used when conducting educational sessions among the Marginalised.

Table 4.4 Pedagogy of training provided by the facilitators

Method of Education	No of Facilitators
Participatory (Interactive/Dialogic)	9
Non participatory (Lecture Only)	6
Total Number of Facilitator	15

In the Table 4.4 we can see that out of 15 facilitators, nine of them conduct classes by using participatory method in which there is two sided flow of communication between the learners and the trainers. As many as six facilitators conduct the session through the use of lecture method or non interactive method.

The pedagogy adopted by the facilitators is in relation to time and the number of participants. For smaller groups involving thirty to 45 participants, the RTI trainers conduct participatory or dialogic session, whereas for audience greater than forty-five participants the sessions are conducted in a lecture format.

According to Ashok R, a RTI facilitator from Udupi taluk "While participatory methods are usually successful as the participants have a scope to introspect on the matter and develop greater understanding of laws such as RTI, the session often goes

beyond the given time frame. Moreover it is workable only with small audience. On the other hand in Non Participatory method we have to provide the entire information in a capsule to the larger and when the time duration to pay individual attention is insufficient".

Facilitators regard the use of educational tools such as video, audio-visual, cassette, case studies, books, pamphlets as an essential aid for pragmatic training. They believe that the use of teaching aids in competency enhancement among the Marginalised groups will greatly improve the quality of the training.

According to RTI facilitator Anitha Kumar "while conducting RTI classes, we have assistance of electronic devices it can greatly helps us in increasing the effectiveness of our sessions. Carry home materials such as books and pamphlets related to RTI assists the applicants to have a better recollection of learned matter but also provides them timely assistance". In addition to imparting direct training the facilitators opine that these tools would further assist the marginalised in perceiving RTI and using it effectively.

4.5   CASE STUDY OF FACILITATORS

To further understand the effectiveness of the educational process used by the facilitators on the Marginalised groups, two RTI facilitators who adopted different methods of training were selected using lottery method of sample. While one of the facilitator conducted session for Group A in Non-Participatory method, for group Group B, the second facilitator conducted the session in Participatory method.

4.5.1   Adoor Krishna Rao

Adoor Krishna Rao is a Human Resource trainer at Corporation Bank College, Mangalore. An M.B.A graduate, he has been a resident of Mangalore for more than 25 years. Apart from his professional work, he is actively involved in several social

activities, workshops and movements primarily related to Consumer Protection and RTI Act. Due to his fluency in English, Kannada, Hindi and other local dialect he is one of the most sought after resource person by educational institutions, NGO's and SHO's.

He conducts RTI training for various stakeholders-civil societies and government. On several occasions government officials consulted him while replying to RTI queries. He is a highly skilled trainer who uses participatory method of training to conduct RTI sessions.

The RTI session began with the facilitator being introduced to the participants by a program organizer. The session comprised of 50 semi-literate daily wage labourers participants aged between 26 to 53 from Domestic Workers Integral Development [DWIDF] at Mangalore. In the premise of their day to day activity the participants faced several problems in access to public distribution system, poor sanitation, drinking water, roads, health, emergency service and such others.

The facilitator then introduced the class to the concept of democracy and people's right to demand accountability from the government. He gave a brief to the audience on the purpose of the RTI training and continued the session on RTI without using any electronic and non electronic aides.

The participants were then informed about the RTI Act, its use, the procedure to apply, appeal to the First Appellate Authority and the Central/State Information Commission. The trainer cited case studies of applicants using RTI and how it brought about changes in administrative system. The session was then followed by question and doubts of the participants.

Positive attributes

- The session was conducted in a very interactive environment with the participants.

- The tone became more informal and friendly as the session progressed, with the participants raising questions and examining the effectiveness of RTI in relation with their real life problems.

- There was spontaneity, openness and freedom from participants as the session progressed.

- On some occasions the facilitator answered the queries of the group in their own dialect, this further encouraged others to raise questions.

- The participants were asked to repeat the important points while filing an RTI such as date line, subject line and signature.

- At the end when the class was asked to file a mock RTI form, the group filed it without much assistance from the facilitator.

Negative Attributes

- The session was time consuming, since the presenters attention was diverted from conducting class to replying to the queries of the participants.

- Most of the time the discussion diverted to other topics in the process of interaction.

- By the end of the hour many participants with quicker learning capacity were getting restless since they had to wait till the doubts of other participants were clarified.

- The session took about 2 hours 15 minutes.

4.5.2 Thukaram Ekkar

He is a social worker from an organization "DEEDS" that is based in Mangalore, he is 42 years old and has completed his Bachelor of Arts. Thukaram takes classes on behalf of a group or association, including educational institutions, wherein the participants are taught to use RTI. The facilitator begins his class by pre-class interaction with the group, during this process he casually chats with the groups about their problems and grievances. He then begins the class and directly explains utilisation of the RTI Act to the problems mentioned by them prior to the session.

The facilitator freely shares examples, case study, stories with the group during the session. He uses blackboard to conduct RTI sessions and divides the session into three parts:
a) How to utilize RTI to resolve personal issues?
b) How to use RTI's pertaining to Public problems
c) How to use RTI's just for seeking infrmation.

Thukaram Ekkar then undertook a separate feedback session with the participants in which the participants gave their thought on the session that was conducted and also it included questions on RTI.

The duration of the session is almost one and half hour, while the background of RTI Act was not much given to the participants, the session primarily dealt with immediate utilisation of RTI by the Marginalised.

The session conducted by Thukaram comprised of 18 women from Scheduled Castes community, out of whom some were homemakers, while others were partially employed.

The session began with the facilitator conducting mutual introduction among the participants. The facilitator did not use any electronic devices, he used blackboard and asked the participants:

Positive attributes

Following positive attributes were observed in Non-Participatory interaction:

- The session was concluded on time that was allotted to the speaker

- Since the number of participants was substantially large the lecture method was appropriate.

- The session was completed within the given time of 1 hour 15 minutes.

Negative attributes

- RTI facilitator could not asses if the participants received his message or not since they were shy to respond individually at the end of the session.

- It was not possible for the trainer to asses if the group understood the his session since the participants were large in number.

- The tone of the session was monotonous and boring the participants refrained from asking queries at the end of the session revealing that their interest had not been evoked on the subject.

In the examination of two methods of conducting RTI session it can be seen that there was difference in the approach of conducting session by both the facilitators. While Facilitator A used participatory method, Facilitator B used non-participatory method.

While Facilitator A's non-participatory method seemed to cover substantially larger group the facilitator was unable to asses if the participants have understood the concept of RTI or not and whether the purpose of the training has been achieved or not.

On the other hand while the participatory method is time consuming, it seemed to provoke interest among the participants to learn more about RTI. It also provided the scope for the Marginalised members to be analytical about their own situation and make them understand the need to be flexible to utilize the provisions of RTI.

Shreeram Dewan, another RTI facilitator says "Just legislation and utilizing it might not bear much result in resolving their issues; moreover the fear of rejection of RTI application de-motivates the applicant from using RTI. Due to the lack of education they also have limited analytical skill; therefore their outlook to identify the lapses within the system is limited. Moreover the personal problems they face is overwhelming therefore it is insensitive on our part to blame them for being less proactive towards civic consciousness."

4.6 PERCEPTION OF THE APPLICANTS FROM THE MARGINALISED REGARDING THE RTI BASED TRAINING INTERVENTION

4.6.1 Introduction

The researcher covered 60 RTI applicants from the marginalised groups inclusive of those from Dalits, Minorities and other backward caste from various parts of Dakshina Kannada and Udupi District. Most of these RTI applicants are associated with Self Help Groups, NGO's and labour unions.

This section of the report introduces the respondent covered and brings out their views regarding RTI based training interventions that they have been through. It also

seeks to collect the recommendation of the participants to make the training interventions not only relevant but also effective.

4.7   PERSONAL CHARACTERISTICS OF THE RESPONDENTS

The personal attributes of the participants such as education, gender, caste, occupation enable us to understand the type of respondents covered by the research. The participants who hailed from eight different taluk's in Dakshina Kannada and Udupi district were covered by the study.

To begin with caste wise characteristic of the respondent in relation to the taluks in which they reside (Table 4.5)

Table 4. 5- RTI Applicants-Caste and Taluk wise composition

Caste Affiliation	Taluk wise composition of respondents								Total
	Dakshina Kannada District				Udupi District				
	Mangalore	Bantwal	Belthangady	Puttur	Sullia	Udupi	Kundapur	Karkala	
SC	3	2	2	3		3	2		15
ST	1		1						2
OBC	3		1	3	1	3		2	13
Muslims	2	3	2	2		2	1	1	13
Christians	3	2	2	3		4	2	1	17
Total	12	7	8	11	1	12	5	4	60

4.7.1   Castewise composition of Respondents: It can be seen from the table that the RTI applicants belong to diverse caste and religious groups such as Scheduled Caste, Scheduled Tribe, Other Backward Caste, Muslim and Christian. Out of 60 respondents covered by the study as many as 15 are from the scheduled caste communities and an equal number of 13 each are from OBC and muslim communities. It is interesting to see that the largest groups of RTI applicants belong to the Christian community. This is mainly because they have had access to knowledge of RTI through the educational sessions conducted by the church based associations. The second largest groups of respondents belong to SC communities. Although a large number of government programs are specifically directed towards SC's and ST's a significant number of them have not been able to access the same and RTI Act is an instrument that can be used by them to correct this lacunae.

An equal number of 13 RTI applicants each belong to other backwards castes and the Muslim community. As most of the respondents are members of organizations, SHG's and trade unions they've had some exposure to the RTI Act and its usage. Only two respondents covered belong to ST community such as Koraga's and Malekudiya which are among the most discriminated and vulnerable communities in the districts covered. In short, the study reflects the perception of persons from the Christian, scheduled caste and Muslim communities to a higher extent than that of the members of the ST community. Even in social-economically developed districts such as Dakshina Kannada and Udupi, the majority of the households from the SC's and ST''s along with OBC's and Muslims continue to suffer various forms of discrimination and exclusion and are often deprived of the benefits / schemes designed by the government for their well being.

4.7.2   Taluk wise composition of respondents: The respondents were selected from among those recommended by the RTI facilitators, Self Help Group members and NGO

leaders. The geographic distribution of participants helps us to understand the extent to which the law such as RTI has penetrated from one taluk to another **(Table 4.5)**.

The Taluk wise composition of respondents reveal that a significant number of 12 respondents each are from Mangalore and Udupi taluk's of Dakhina Kannada followed by 11 respondents from Puttur. These are the most urbanized locations of the districts. The most backward taluk's Karkala and Sullia have the least number of RTI applicants. This is mainly because in more urbanized parts of the districts there are more opportunities for the marginalised to access knowledge of RTI and its use.

4.7.3 Correlation between caste and talukwise composition of RTI respondents reveal that the respondents belonging to most ethnic groups are spread out in various taluks of Udupi and Dakshina Kannada. But from taluk's such as Karkala and Sullia no SC's or ST members have been covered under this study. From Taluks such as Bantwal and Kundapura no member of other backward communities has been covered. In all the taluks except Sullia members of minority communities such as Muslims and Christians have been covered. These facts indicate variable representation of different ethnic communities among the respondents.

4.7.3 The Gender composition of the respondents: In societies where there is widespread gender disparity leading to subordination of women utilisation of laws differs from men to women. It is important to find out to what extent both gender groups are represented among the respondents covered by the study. Diagram 4.1 gives the gender composition of the RTI applicants.

Diagram 4.1

It can be observed from the [Diagram 4.1] that out of 60 participants 55 per cent are male and 45 per cent are female, 10 per cent more men than women. As the region has high literacy/education rate among both men and women both groups have succeeded in using RTI. The fact that relatively more men compared to women have used RTI reveal the fact that there is differential access to such laws among the gender groups because of the lack of confidence among women.

4.7.4 The Occupational background of the respondents: Occupation is another indicator that enables us to understand the socio-economic background of the respondents Diagram 4.2 gives the occupational composition of the RTI applicants.

Diagram 4.2
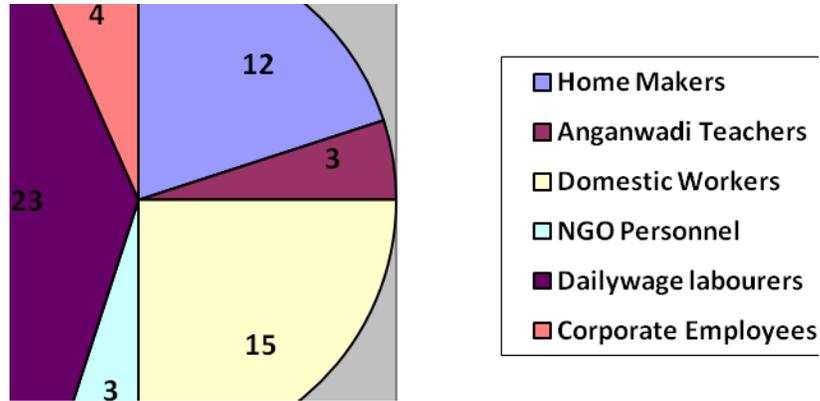
The Diagram 4.2 indicates that the respondents belong to the unorganised labour groups. Out of 60 participants 23 of them are daily wage labourers, 3 of them are NGO personnel, 15 are domestic workers, 12 are homemakers and 4 are corporate employees. It is clear from this data that the majority of the respondents are daily wage workers followed by domestic workers- indicating their economic backwardness.

4.7.5   The Educational characteristic of the respondents: Let's try to find out the educational attributes of the RTI applicants from among the marginalised groups covered in the study (Diagram 4.3).

Diagram 4.3
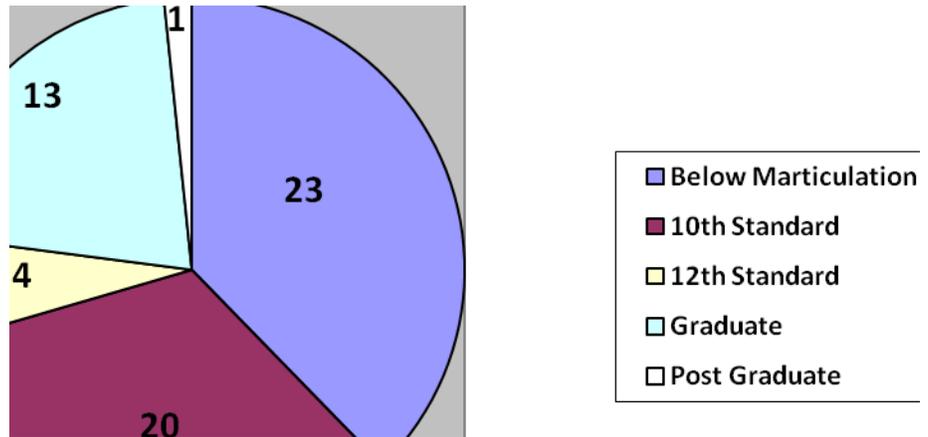
Out of the total 60 participants, 1 of them is a Post Graduate, 13 of them are graduates, 4 have completed their 12th standard, 20 have matriculated and 23 of them have not completed matriculation. Though the region of Dakshina Kannada and Udupi district is most favored destination for higher education for students from India and abroad, there are a significant number of people from marginalised groups who have not been able to access formal education to the extent desired. In both Dakshina Kannada and Udupi majority of these educational institutions are centralised around Mangalore and Udupi city and town. There is a shortage of educational institutions in Taluk's such as Bantwal, Karkal, and Belthangady. As a result, the opportunity for the students to pursue higher education in their own local area is less.

4.8 EXPERIENCES IN UTILISATION OF RTI BY THE RESPONDENTS

The nature of utilisation of RTI mechanism by the respondents and the years of experience that they have had in using the Act are covered in this section. Attempts are made to correlate their responses with personal characteristics of the respondents.

Utilisation of RTI Act by the respondents indicates the effectiveness of the enhanced intervention among them.

4.8.1 Utilisation of RTI Mechanism by the Respondents: The respondents selected for the study from the marginalised group are those who have utilized the RTI Act. We sought to find out the nature of RTI utilisation by the respondents in relation to their sex.

Table 4.6 Utilisation of RTI Mechanism by the Respondents Correlated to their Gender Characteristics

Use of RTI Mechanism	Sex		Total
	Male	Female	
RTI Appeal	33 (55%)	27 (45%)	**60 (100 %)**
First Appeal	12 (20%)	2 (3.3%)	**14 (23.3 %)**
State Information Commission/ Central Information Commission	5 (8.3)	1 (1.6)	**6 (9.9 %)**

Total not given because of Multiple Response, number of respondents is equal to 60

From the data given in Table 4.6, it can be observed that all the respondents have filed RTI Appeals to one or more government departments irrespective of their sex. Relatively a small percentage of respondents to be specific 23.3 % have also filed first appeal and those who have appealed to the State or Central Information Commission

are only 9.9 %. These facts indicate that very few have made use of the process of appeal to the higher level information commissioners. This is mainly because the respondents do not have the required skills and confidence for higher appeal.

We asked the respondents whether they were able to procure information they had asked for. As many as 55 out of 60 respondents have said that they did receive responses in return to their request for information. Whereas 5 respondents did not receive any information from the public authorities. When asked whether they were satisfied with the information received 9 respondents out of 55 who had received some information in response to their appeal informed us that they received irrelevant/ wrong information. The rest were satisfied with the information received. All those respondents who had failed to receive information and received irrelevant information have moved their appeals at higher levels of RTI hierarchy.

Correlation between utilisation of RTI mechanism and gender characteristic of the respondents reveal that compared to 17 men only three women have utilised higher appeal process. This fact indicates that gender dimension has to be considered when providing RTI training and women from the marginalised groups need to be subjects of added focus in such capacity building interventions.

4.8.2 Issues for which RTI has been adopted: The RTI Act is used by people to procure information on various issues in relation to public authorities such as Food and Civil Supplies, Public Work Department, Gram Panchayat, village accountant, District Health and Education departments. The answers given by the respondents to the question on issues for which they have used the RTI Act is provided in Table 4.7. Their responses are also classified on the basis of their caste affiliation.

From the data it can be seen that the respondents have filed request for information in relation to various issues such as ration card, property, hospital bills, public utility services and for procuring First Information Reports from the police.

Table 4.7 Issues for which RTI Has Been Adopted By the Respondents Correlated With the Caste

Issues	Caste affiliation of the Respondents					
	SC	ST	OBC	Muslim	Christian	Total
Ration card	3	1		4	2	10
Police FIR copy	2	1	1	4		8
Land and House Rights	7		6		4	17
Hospital Bills	1			1		2
Public Works Department	2		6	4	11	23
Total	15	2	13	13	17	60

Most of the (33.8 percent) respondents have filed application with regard to Public Work Department followed by (28.3 percent) for property related issues and (16.6 percent) ration card. At least eight respondents have filed application for copies of the F.I.R and only two have done so to claim hospital bills. From these facts it can been drawn that public utility services and house right as well as food right related issues such as house site document and ration card assume significance in the lives of the

marginalised groups. It is also important to see that at least some of the respondents who have been entangled in issues of conflict with law (i.e. Communal attacks cases, police roundups which at times involve innocent persons) have utilized RTI to procure FIR copy.

When RTI issues for which application is filed by the respondents are correlated with their caste, we find that the Christians, followed by Other Backward caste groups are more in number among those who have used RTI in relation to public utility services. As far as land and house right issues are concerned the scheduled caste and the OBC respondents have used the RTI followed by the Christians, SC's and OBC's. Out of eight respondents who have used RTI to procure FIR copies, four belong to the Muslim community on whom cases are filed by the police for various reasons in a communally charged environment of the region. All these responses indicate that participants have benefited from the training given to them by the facilitators on the subject of RTI.

4.8.3   Years of Experience in using RTI: The RTI Act was passed in the year 2005 and since then individuals and groups have utilized the Act depending on their level of awareness, motivation and competency.[1] The marginalised groups in districts such as Dakshina Kannada and Udupi have started using RTI in recent years. The years of experience the respondents have had in using RTI Act is correlated with the level of utilisation of the appeal process by them.

The data in Table 4.8 reveals that more than 50 per cent have had less than one year of experience in using RTI Act. A significant number of respondents have had one to three years of experience of using RTI act. It also important to note that nearly one

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[1] Noronha, Rita (2009). *Good Governance facilitators learning manual.* published by School of Social Work, Mangalore and KROSS Bangalore

third of the respondents have had more than three years of experience in this regard. These facts reveal some variation in the years of experience with RTI among the persons from the marginalised groups.

Table 4.8 Number of Years Experience of Respondents In Relation To Their Utilisation of RTI Mechanism

Number of Years Experience of respondents	Level of Utilisation of RTI Appeal			Total
	RTI Appeal	First Appeal	State Information Commission/ Central Information Commission	
Less than 1 year	31	2		**33**
1 year – 3 year	21	5	1	**27**
More than 3 year	8	7	5	**20**

When correlating the years of experience with level of utilisation of RTI mechanism it could be noted that during the first year only two among the 31 RTI applicants utilized the first appeal. Out of the 21 applicants who have been using RTI between one to three years only 6 applicants have moved their appeals to higher levels. Totally 7 First Appeals and 5 second appeals have reached the desks of the State and Central Information Commissioner respectively.

From the data it can be observed that the frequency of higher appeals by the applicants increases correspondingly to their years of experience. This shows a sustainable and growing confidence among the applicants in using RTI mechanism.

4.8.4 Gender wise distribution of RTI applicants based on their years of experience:
In the Table 4.9, the gender of the RTI applicants has been co-related with against their years of experience in using RTI.

Table 4.9 Gender Wise Classification of Marginalised Respondents In Relation To the Years of Experience

Years of Experience	Gender Wise Classification of Respondents		Total
	Male	**Female**	
Less than 1 year	12 (38.7%)	19 (61.3%)	**31 (51.7%)**
1 year – 3 year	15 (71.4%)	6 (28.6%)	**21(35%)**
More than 3 year	6 (75%)	2 (25%)	**8(13.3%)**
Total	**33(55%)**	**27(45%)**	**60 (100%)**

As many as 31 applicants have used RTI for less than a year out of which 12 are male and 19 are female. Fifteen male and six female participants (a total of twenty one of them) have been working on RTI related cases since one to three years. Lastly six

male and two female (a total of 8 participants) have been pursuing RTI for more than three years.

Correlating the years of experience with the gender characteristic of the respondents the study notes that three years ago the participation of male applicants in RTI related activities has been substantially higher compared to their female counterparts. However over the years the proportion of female users of RTI is steadily increasing. In the past one year, the female participants at 61.3 percent are more than their male counterparts who number 38.7 percent. This is mainly because women as members of self-help groups have been able to access trainings on the subject of RTI.

4.8.5   Caste wise distribution of respondents correlated with years of experience in using the RTI Act: The Table 4.10 shows the years of experience in using RTI Act by respondents belonging to various caste groups.

Table 4.10 Years of experience in utilisation of RTI correlated with caste of the respondents

Years of Experience	Caste wise distribution correlated with Caste					
	SC	ST	OBC	Muslim	Christian	Total
Less than 1 year	10	2	7	6	8	**33**
1 year – 3 year	3		3	7	6	**19**
3 year and above	2		3		3	**8**

Total	60

With less than one year experience of using the RTI, a significant more than one-third respondents (12 out of 33) belonging to the ST and SC categories. There are a significant proportion of Christians followed by other backward caste and Muslims respondents among them. Relatively less percentage of respondents from the SC and ST groups have 3 years and above experience in using the Act. A significant proportion of 22 respondents from OBC and minority groups relatively have more years of experience (one year or more) in using the RTI Act. These facts indicate that most SCs and STs are relatively new entrants to the field of RTI compared to their counterparts from other caste and religious groups.

4.9 EFFECTIVENESS OF THE TRAINING AS PERCEIVED BY THE MARGINALISED

While Section 26 1 (A) of the Act requires the government to develop and organize educational programs to advance the understanding of the public regarding RTI. Section 6 1 (B) and Section 7 (4) requires the PIO's to provide reasonable assistance to the citizens and the physically disabled respectively to seek information. In this section of the report, the views of the participants regarding the trainers and their assessment of trainer competencies are highlighted.

4.9.1 Trainers are NGO personnel: According to the RTI applicants covered by the study they were primarily trained by the personnel of NGO's, SHO's and other individual facilitators, who also provided them timely assistance while filing an RTI application. Almost all the Marginalised members do not recollect any training program organised by the government on RTI. The participants said that the government trainings were mostly limited to provide information to the Public Information Officers

and First Appellate Authorities. Due to the failure of Public Information Offices and other government officials in providing training on RTI, a wrong impression has been created in the minds of the people that using the act is against the government. As government employees are not seen endorsing RTI Act publicly, it has resulted in lack of interest among the public in using the Act to the extent desirable.

4.9.2 Content and Methodology of the training: We asked the respondents to list the subjects covered by the trainers. Almost all the participants told us that subjects such as main features of the RTI Act, composing the RTI application, mode of sending RTI application and using the appeal process were covered. The Participants were also taught to identify the departments in relation to the issues of concern. From this data it can be noted that participants have not been adequately prepared to analyze their realities, to understand the various forces responsible for their subordination and use the RTI as one of the means towards their empowerment within the wider context.

As far as methodology is concerned all the respondents were of the view that both participatory dialogic method and non-participatory lecture method are used by resource persons who have covered session on RTI for them.

4.9.3 The Grading of the training programs by the respondents: The participants were asked to rate the trainers on various criteria such knowledge or expertise, confidence in handing session, language used, fluency of expression, opportunity for clarification of doubts and follow up assistance.

Table 4.11 provides data on the grading associated by the participants in assessing the effectiveness of the training. From the data it can be derived that a majority of the respondents it is clear that knowledge or expertise on the subject of RTI is considered very important by the participants. As many as 34 participants have associated higher level grading with this criterion.

All the participants have associated highest grading with variables such as dialect/language used in training as well as fluency of expression of the trainer. The RTI trainers primarily use regional languages and dialects such as Kannada, Tulu, and Konkani as a medium of instruction when conducting educational sessions among the Marginalised groups. This is found necessary to facilitate communication gap between the facilitators and members of the Marginalised groups.

Table 4.11 Grade given by the respondents in relation to various criteria to assess effectiveness of the training.

Criteria to asses Effectiveness of the training	Grades given by the respondents					Total
	1	2	3	4	5	
Knowledge or the expertise	9 (15%)	5 (8.3%)	12 (20%)	29 (48.3%)	5 (8.3%)	**60 (100%)**
Confidence in handling session	20 (33.3%)	15 (25%)	8 (13.3%)	11 (18.3%)	6 (10%)	**60 (100%)**
Dialects /Language used					60 (100%)	**60 (100%)**
Fluency of expertise				44 (73.3%)	16(26.7%)	**60 (100%)**
Opportunity for Doubts/				60 (100%)		**60 (100%)**

Clarification						
Follow-up Assistance		33 (55%)	15 (25%)	12 (20%)		**60 (100%)**

Participants have also given higher grade or have expressed higher satisfaction level with the opportunity provided to them to clarify their doubts during the training. More the participation by the learner, better is the learning remains as a fundamental idea even when handling sessions among the marginalised sections of society.

On the negative side 58.3 percent out of 60 participants have graded the trainers quite low in the level of confidence in handling the sessions. Similarly lower grading is associated with the criterion of follow up assistance provided by the trainers to the applicants. These responses indicate that some expectations of the participants have not been fulfilled by the facilitators who do not have the means and the competencies needed to provide sustained support to the participants to make effective use of the law. Further for participants who are not a part of the larger organization, social movement often rely on the facilitators supporting them in an on-going manner which is not possible for the facilitators who have their job and family responsibilities.

4.9.4 Suggestion offered by the respondents to make the capacity building programs more effective. The participants offered the following to make the educational sessions on RTI more effective:

- The facilitators must make sincere attempt to familiarize the participants with the importance of RTI Act and its highlights.
- Facilitators must avoid the use of law related jargon and instead use simple language.
- The trainers must enhance clarity of concepts related to RTI when imparting the training.

- Facilitators must use local language/ dialect and make the explanation relevant to the issues of the individual or group who are participating in the training.

- Handouts/ hardcopies with important information on RTI must be provided to the participants to facilitate better recollection and future reference.

- Instead of lengthy explanations, other methods such as case studies, examples, illustrations, electronic and computer aids must be used to enhance understanding of the topics among the participants.

- Participants must be given an opportunity to interact during the RTI session, so that they are encouraged to raise questions and develop self confidence in the process.

To conclude it can be said that the educational interventions have definitely enhanced the ability of the participants irrespective of their caste, gender, vocational and education affiliation to use the RTI Act. Many participants have sustained their effort in using the Act for more than one year. By and large the participants have expressed positive views regarding the criteria used in assessing the effectiveness of trainers/facilitators, while offering them many relevant suggestions to improve their role performance.

Chapter 5

MAJOR FINDINGS AND RECOMMENDATION

5.1   INTRODUCTION

Though RTI Act has been used as an effective instrument to promote transparency and accountability in public governance, the marginalised group lack awareness and competencies required to use the same to derive benefits that they are legally entitled to. As a result the government programs, public utility services and Public distribution systems have not reached all the members of the marginalised groups. As a result the disadvantaged groups often find themselves on the receiving end of corrupt practices, inefficiency and nepotism by the government.

Though there are large numbers of concerned individuals, Self Help Groups and NGO's working among the marginalised in facilitating the process of using proactive legislation such as RTI, their experiences have not been pooled together to draw lessons for enhancing the effectiveness of capacity building programs. The research study was undertaken to find out the effectiveness of RTI centered capacity building interventions among the marginalised groups in the region of D.K and Udupi districts. A descriptive research design was adopted for the purpose. Fifteen facilitators were interviewed with the help of pre-drafted guidelines and 60 applicants from the marginalised groups who had used RTI Act were interviewed with the help of a schedule.

5.2   MAJOR FINDINGS

The data collected from the facilitators and from marginalised participants who have undergone RTI training is summarized here.

5.2.1 Facilitator's views on the subject of RTI related capacity building among the marginalised groups

The 15 facilitators selected for the research are either on full-time or part-time basis involved in the capacity building initiative among the marginalised on Right to Information Act. They enable the marginalised to use RTI and resolve those issues that hinder their access to state allotted services and programmes. Among the RTI facilitators 13 are graduates, one has acquired a Post Graduate degree, and another has completed his Pre-University education. While six RTI facilitators in Mangalore and Bantwal taluk followed by 5 Udupi and Kundapur the other four taluks have only one representative each. Through this data it can be noted that relatively higher educational qualification is important for facilitators for creating awareness of the laws such as RTI and ability for its interpretation.

The heterogeneity of the caste, occupation and regional background of the RTI facilitators highlights their exposure to different training methodologies and their exposure to social issues. It also reflects that Selected Facilitators have thorough exposure in matters pertaining to condition of the marginalised section. Thereby are sufficiently competent in providing a practical perspective on the capacity building programs from the marginalised. The diversity in vocational background of these facilitators in the field of agriculture, social work, law provides them the scope for creating pool of expertise in utilizing RTI on various subject matters.

- According to facilitators merely providing knowledge of the RTI Act to the persons from the Marginalised sections is insufficient. Need based trainings have to be continuously imparted to the marginalised section to increase their confidence level and competencies that could be listed under Knowledge, Skills and Attitudes/Values.

    1 As far as **Knowledge** is concerned, nine facilitators said that the detailed knowledge of the RTI Act and similar laws must be gained by the

marginalised groups to use the same effectively. Social awareness and literacy are two other dimensions of knowledge based competencies identified by other facilitators. The key topics suggested for inclusion in training programs for the marginalised groups being Knowledge of the RTI Act, method of sending RTI application to Public Information Officials/ First Appellate Authority, Central Information Commission/State Information Commission, Identifying appropriate offices that handle various subjects relevant to RTI, Different modes of payment to file RTI queries, Dealing with insufficient or irrelevant information and non responsiveness by the Public Information Officials by appealing to higher level authorities.

2   Also the interrelated Skill based competencies have been listed by the facilitators as being important for the marginalised groups and individuals who wish to use RTI. As many as five facilitators highlighted the skill of drafting of RTI application as being essential, and six out of them felt the skill of interpreting RTI in relation to the issue at hand is also a very important. The skills needed for follow-up of the RTI applications is also noted by some facilitators.

3   In terms of Attitude, five facilitators have highlighted the need to build self confidence among the RTI applicants. Four facilitators are of the opinion that selfless mindset is essential for effective participation in the process of governance. Three of the RTI trainers feel that the marginalised applicants must have critical outlook towards society so as to use the provisions of the RTI in a constructive manner. Social concern is another core value/attitude that three other facilitators feel that the marginalised must internalise for using RTI constructively on public matters.

- The facilitators say that even the factors that motivates the marginalsed needs to be considered to make capacity building ventures more relevant and meaningful for the disadvantaged. Among the 15 facilitators, seven of facilitators claim that the most of marginalised participants attend RTI sessions to resolve their personal issues; four of them feel participants attend session due to peer pressure or group compulsion. Only three of the trainers say that the participants are motivated by social issues and concerns. When the capacity buildings programs meet the expectation of the participants it is possible to involve them more effectively in the learning process.

- Among the educational methodology used, nine facilitators out of 15 conduct classes by using participatory method. As many as six facilitators conduct the session through the use of lecture method or non interactive method. For smaller groups the RTI trainers conduct participatory or dialogic sessions, whereas for larger audience the sessions are conducted in a lecture format. Facilitators regard the use of educational tools such as video, audio-visual, cassette, case studies, books, pamphlets as an essential aid in training the marginalised groups.

5.3 CASE STUDIES OF TWO FACILITATORS

From the two case studies of facilitators the following implications could be drawn for the effective conduct of capacity enhancement program on RTI among the marginalised groups.

From the examination of participatory and non- participatory method it can be observed that though participatory method is time consuming, it is a very effective module that leaves long term affect over the participants on enhancing their confidence, skill and critical consciousness as compared to the non-participatory lecture method. It invokes reasoning among the participants that sensitizes the marginalised members in analysing their own situation and thereby utilizing RTI to overcome their subjugation.

5.4   EXPERIENCE OF THE MARGINALISED IN UTILISING RTI

The researcher covered 60 RTI applicants from the marginalised groups. The respondents selected are from those recommended by individual and institutions facilitating RTI. The Taluk wise composition of respondents show that there are 12 each respondents from Mangalore and Udupi taluk's of Dakshina Kannada and Udupi District, followed by 11 respondents from Puttur. The most backward taluk's such as Karkala and Sullia have the least number of RTI applicants. This data reveals that urban areas provide more opportunities for the marginalised to access knowledge on RTI. It can be seen from the table that the RTI applicants belong to diverse caste and religious groups such as Scheduled Caste, Scheduled Tribe, Other Backward Caste, Muslim and Christian.

Among the 60 participants 55 per cent are male and 45 per cent are female, out of whom 23 are daily wage labourers, 3 of them are NGO personnel's, 15 are domestic workers, 12 are homemakers and 4 are corporate employees. It is clear from this data that the majority of the respondents are daily wage workers followed by domestic workers- indicating their economic backwardness. Only 1 among the 60 participants is a Post Graduate, while there are 13 graduates, four have completed their 12th standard, 20 have matriculated and 23 of them have not completed matriculation. So it is clear from these facts that the applicants covered are from diverse categories belong to both sex groups are involved primarily in unorganised sectors of the economy and are primarily from the backward caste, scheduled caste and minority groups.

- **Utilisation of RTI ACT by the respondents:** Utilisation of the act by the respondents is one the indicators of effectiveness of capacity enhancement

intervention among them. All the respondents covered by the study are those who have utilised and sent applications seeking information under RTI. In other words they have made practical use of the training provided to them. Most of the respondents have filed application with regard to public utility services (33.8 percent) followed by property related issues (28.3 percent) and ration card (16.6 per cent). At least eight respondents have filed application for copies of the F.I.R and only two have done so to claim hospital bills.

- Out of eight respondents who have used RTI to procure FIR copies, four belong to the Muslim community on whom cases are filed by the police for various reasons in a communally charged environment of the region. These responses show that very effective use of RTI ACT has been made by the applicants to procure information relevant to their lives. This indicates that they have developed capacity for applying the act to issues that affect their lives.

- Five respondents who had failed to receive information and 9 of them who had received irrelevant information have moved their appeals at higher levels of RTI hierarchy. These facts indicate that very few have made use of the process of appeal to the higher level information commissioners. This implies that the training programs have succeeded in building the capacity of the marginalised especially their self confidence for higher appeal.

- When RTI issues for which application is filed by the respondents are correlated with their caste, we find that the Christians, followed by Other Backward caste groups are more in number among those who have used RTI in relation to public utility services. As far as land and house right issues are concerned the scheduled caste and the OBC respondents have used the RTI followed by the Christians, SC's and OBC's.

- **Years of Experience in using RTI:** Once capacity for RTI is built then it is possible for them to use for other purpose on a long run. The data in Table 4.8 reveals that more than 50 per cent have had less than one year of experience. A significant number of respondents have had one to three years of experience of using RTI act. It is also important to note that nearly one third of the respondents have had more than three years of experience in this regard. These facts reveal that the respondents have made sustained use of RTI Act.

- When correlating the years of experience with level of utilisation of RTI mechanism it could be noted that during the first year only two among the 31 RTI applicants utilized the first appeal, out of the 21 applicants using RTI between one to three years only 6 application haves reached to higher appeals and 7 First Appeal and 5 second appeals have reached the desks of Central or State Information Commissioner. Here we can observe that the frequency of higher appeals of the applicants increases correspondingly to their years of experience. This shows a sustainable and growing confidence among the applicants in using RTI mechanism. The lesson that could be drawn here is when participant's involvement is more in practicing the use of RTI they become more confident in using the same for future needs.

- **5.4.1 Gender Wise experience of RTI applicants:** Correlating the years of experience with the gender, the study reflects that the participation of male applicants in RTI related activities is substantially higher by 50 percent compared to their female participants 3 years back. However over the years the proportion of both male and female participants in RTI is steadily increasing, with the recent data highlighting that in the past one year, the female participants 61.3 percent are more than their male counterparts 38.7 percent. These facts however also indicate that women have acquired skills required for

RTI use to a lower extent than men indicating the need for more focus on women in such capacity building interventions.

- **5.4.2 Caste Wise experience correlated with the experience of the Respondents:** The Table 4.10 represents the caste wise experience of the RTI applicants with respect to the number of years. Here out of the 33 members of the marginalised groups 33 of them have been using RTI for less than a year, while 19 of them have been using the same over a period of one to three years, only eight of the participants have been utilizing RTI for three years and above. While there is increase of preference among the marginalised castes to use RTI over the years, the probing revealed assistance by the facilitators among many other factors is a motivating factor that has further mobilised participants opinion in effectively using RTI.

5.5 EFFECTIVENESS OF THE TRAINING AS PERCEIVED BY THE MARGINALISED

- **5.5.1 Trainers are NGO personnel:** According to the RTI applicants covered by the study they were primarily trained by the NGO's, SHO's and other individual facilitators, who also provide timely assistance to them while filing an RTI application. None of the Marginalised members recollect any training program organised by the government on RTI. The investigator found due to the failure of Public Information Office and other government officials in providing training on RTI, a wrong impression has been created in the minds of the people that using the act is against the government. As government employees are not seen publically as endorsing RTI it has resulted in lack of interest among the public in using the Act to the extent desirable.

- **5.5.2   Content and Methodology of the training:** We asked the respondents to list the subjects covered by the trainers. Almost all the participants told us that subjects such as main features of the RTI Act, composing the RTI application, Mode of sending RTI application and using the appeal process were covered. The Participants were also taught to identify the departments in relation to the issues of concern. From this data it can be noted that participants have not been adequately prepared to analyze their realities, to understand the various forces responsible for their subordination and use the RTI as one of the means towards their empowerment. As far as methodology is concerned all the respondents were of the view that both participatory dialogic method and non-participatory lecture are used by resource persons who have covered session on RTI for them.

- **5.5.3   Grading by the respondents of the training programs:** From the data obtained by the majority of the respondents, it is clear that knowledge or expertise on the subject of RTI is considered very important by the participants. As many as 34 participants who have associated have given higher level grading to this criterion. All the participants have associated highest grading in terms of dialect and language used in training as well as fluency of expression of the trainer. The RTI trainers primarily use languages and dialects such as Kannada, Tulu, and Konkani as a medium of instruction when conducting educational sessions among the marginalised groups. This is found necessary to facilitate communication gap between the facilitators and members of the marginalised groups.

- Participants have also expressed higher satisfaction level with the opportunity provided to them to clarify their doubts during the training. More the participation better is the learning remains as a fundamental idea even when handling session among the marginalised sections of society.

- On the negative side 35 out of 60 participants have graded the trainers quite low in the level of confidence in handling the sessions. Similarly lower grading is associated with the criterion of follow up assistance provided by the trainers.

5.6   RECOMMENDATIONS

Listed are few recommendations for the government and the facilitators.

5.6.1   For Government

- Gather and analyze information for poorer participation of women's involvement with the Right to Information. More focused attention on marginalised women is essential when imparting RTI training to effectively create awareness of the act in the grass root level.
- Collaboration with the members of marginalised communities and RTI facilitators to develop a training module on RTI specifically catering to the needs of the marginalised groups.
- It is important to integrate aspects of knowledge, skill and attitudinal competencies related subjects when designing educational programs for the marginalised groups.
- Establish district wise institutions that would disseminate information on RTI and provide timely assistance for the marginalised to access information through the same.

- The marginalised groups need to be prepared to access Information and Communication Technology [ICT] to empower them with newer technologies such as computer literacy so that information could be procured in a speedier and cost effective manner.

- To assist with financial support and infrastructural assistance to effectively implement Section 4 (1) of the RTI Act, there by requiring minimal utilisation to address the RTI query of the marginalised.

- Confidence building is an important attitudinal competency that needs to be prioritized when facilitating RTI related training among the marginalised groups. This is very important for the marginalised to transform into an effective and sustainable organization to make sustainable use of Acts such as RTI.

- Conduct socioeconomic assessments to examine the impact of non-participation of the marginalised in the state organised development programs with intention to study the loss to states exchequer due to misappropriation of funds and continuance of poor rate of Human development index of the country.

5.6.2   For RTI Facilitators

- Campaign for re-induction of Under Certificate Postal Order that served as a cheap and efficient tool for the marginalised members to access information under RTI Act.

- Use of ICT Technology for more sensitization of RTI Act and its benefits among the marginalised.

- Timely assistance on RTI readressal must be provided for the marginalised members and thereby are effectively encouraged to participate in mobilizing positive opinion and word of mouth among their peer and members on the benefit and utilisation of the Act.

BIBILOGRAPHY

Boggs, C. (1976). Gramsci's Marxism: published by Pluto Press London

Jaipuriar, Divya Jyoti, Jayashree Satpute (2009): *Leading Cases on Right to Information.* published by Human Rights Law Network

Freire, Paulo (1970). *Pedagogy of the oppressed.* published by The Seabury Press, New York.

Goel S.L (2009). Development Administration: Potentialities and Prospects. published by Deep and Deep publications, New Delhi

Noronha, Rita (2009). *Good Governance facilitators learning manual.* published by School of Social Work, Mangalore and KROSS Bangalore

Patel, Ila (2009). *Adult Literacy and Lifeling Learning in India. Published by National University of Educational Planning and Administration, New Delhi.*

Spronk, Barbara, Jason Pennells. *Researching marginalised and disadvantaged learners.* Commonwealth of Learning: www.col.org/SiteCollectionDocuments/PRES T_Module_B5.doc (ISBN 1-894975-03-0).

Educating Marginalized Populations (2007). EQ Review. pdf.usaid.gov/pdf_docs/PNAD M592.pdf

Essay on the importance of Adult Education in India (2011): www.preservearticles.com/201 103264737/importance-of-adult-education-in-india.html

Vienna Declaration and Programme of Action (1993): World conference on human rights. http://www.unhchr.ch/huridocda/huridoca.nsf/(symbol)/a.conf.157.23.en

ANNEXURE

Annexure (A) Interview Guideline for Felicitators

Personal details
Name:
Gender:
Age:
Address:
Ph:
Age:
Educational Qualification:

1. **How do you engage RTI training for the marginalized group?**

2. **Usually what is the rate of participation from the marginalized group?**

3. **What sort of educational pedagogy would be useful for adult marginalised learners?**

4. **What are the hindrances for an individual (s) of a marginalized group from utilizing RTI?**

5. **Do you undertake any feedback session to evaluate the effectiveness of your session?**

6. **What in your opinion is needed for marginalized individuals to be an effective RTI applicant?**

7. **What is your suggestion, how can the marginalized groups overcome the problem of lack of confidence?**

8. **What in your Opinion is necessary to motivate and influence the marginalized groups to pursue RTI?**
9. **What in your opinion the main motivator for the marginalized groups to learn about RTI**

1) Problems faced 2) Need to enhance their skill 3) group/peer pressure 4) Social Concern

10. **Rate the following abilities according that according to your opinion is most important to least**
1) Knowledge 2) Skill 3) Attitude or Value

11. **What is the percentage of follow up do you receive from the marginalized groups after the RTI session?**

1) Upto 10% 2) 25% 3) Below 50 % more than 25% 4) 100%

12. **What is the percentage of conversion of marginalized participants applying RTI?**

1) Upto 10% 2) 25% 3) Below 50 % more than 25% 4) 100%

Annexure (B) For Marginalized groups

1. **How was the your experience from the RTI facilitator in the grade of 1 to 5**

1) Bad 2) Satisfactory 3) Good 4) above average 5) excellent

2. **How was the RTI training provided?**

1) Oral communication 2) Workshop 3) seminar 4) any other

3. What language did the felicitator conduct the session in?

1) English 2) Kannada 3) Tulu 4) Community language

4. How do you overall rate the presentation of the trainer?

1) Bad 2) Satisfactory 3) Good 4) above average 5) excellent

5. What are the strong points of the felicitator? (Multiple choice)

1) Communication 2) Examples 3) Case study 4) Follow up

6. Mention the weak points of the felicitator (Multiple choice)

1) Poor Communication 2) Lack of Examples 3) Case study 4) Follow up

7. What is the drawback in the training provided by the facilitator?

8. Rate the following abilities according that according to your opinion is most important to least
1) Knowledge 2) Skill 3) Practices 4) attitude

9. Any other suggestion / Opinion