

Good governance ensures right to information

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Pritam Mukherjee received the certificate of heirs of Vishweshwar Roy Chowdhury of Kalaskathi zamindar bari of Bakerganj police station of Barisal district and are they alive or not? According to the Right to Information Act, 2009, Secretary and RTI Officer, No. 9 Kalskathi Union Parishad, Bakerganj, Barisal applied for their information. The learned senior assistant judge of Barisal granted permission to one Babita Mukherjee for the sale of the land in permission suit No. 27/2015 on the basis of the inheritance certificate given by the chairman of Kalaskathi Union Parishad, Bakerganj for the sale of the property owned by the person Vishweshwar Roy Chowdhury.

Pritam Mukherjee in his application seeks to know more about the issue of succession certificate under Sections 370-380 of the Succession Act, 1925 (Act No. 39 of 1925). In this regard, the concerned district issues the succession certificate by the learned Joint District Judge Court. Apart from this, in the relevant section of the Guardianship Act 1980 (Act No. 8 of 1980), provision has been made for guardianship certificate and permission to sell land to the de facto guardian on behalf of the minor. There is no opportunity to apply to the learned Court for Succession Certificate and Guardianship Certificate without heirs. Still the inheritance certificate signed by Chairman, Secretary, UP Member, Village Police of Kalskathi Union Parishad, Bakerganj has been issued. While the certificate of the legal heirs of Visveshwar Roy Chowdhury of the concerned union is in force, without any written notice and without the application of the heirs, they want information about whether there is an opportunity to issue the heir certificate on the application of the 3rd party or not. Not getting the information within the stipulated time, the complainant filed an appeal with the Chairman and Appellate Authority (RTI), No. 9 Kalskathi Union Parishad, Bakerganj, Barisal. After receiving no information even after the appeal, the complainant was aggrieved and lodged a complaint with the Information Commission on 18.01.2022.

The Information Commission accepted the complaint for review hearing. In the hearing, the complainant said that he did not get the information using a virtual method. The RTI officer said that no such heir has been given a certificate. He mentioned that birth and death registration was not maintained 15 years ago. In the hearing, UP Chairman said that no such inheritance certificate was given. The Information Commission has directed the responsible RTI officer to provide information within 10 working days after reviewing the statements of both parties and the overall issue. The Secretary and RTI officer of Kalaskathi Union settled the matter by imposing a fine of Taka two thousand. Section 25 and Section 27 of the Right to Information Act, 2009 provides for levy of compensation and fines against the officer in case of obstruction of access to information and the RTI officer is found guilty in that case, considering the seriousness of the allegation, and in certain cases neglect of the officer in providing information is considered misconduct. There is also a provision to give departmental punishment. Since 2011 till date, Information Commission has fine/departmental punishment to the responsible officer in total 80 complaints. In 06 complaints filed in 2022, punishment has been imposed on the responsible officer.

Right to information is considered as one of the means of empowering the people. According to Article 39 of the Constitution of the People's Republic of Bangladesh, freedom of thought, conscience and speech is one of the fundamental rights of citizens. The right to information is an integral part of a citizen's freedom of thought, conscience and speech. If the practice of this law is increased among the people, the transparency and accountability of all public

and private organizations will increase, as a result corruption will be reduced and good governance will be established in the country. Right to Information Act, 2009 is a people friendly law. The Right to Information Act, 2009 was enacted to ensure the right to information of the people by creating free flow of information. The Act instills public confidence in the government as well as increases the accountability of the government and in turn helps in establishing transparency-accountability and good governance in all levels of public and private sector activities. In spite of the good will of the concerned parties including the commission to ensure the right of the people to receive information, the lack of awareness of a large part of the public, the lack of proper application of the trained knowledge of the officers on the law, etc have been identified as obstacles in the way of the successful implementation of the Right to Information Act. In the implementation of the Right to Information Act and ensuring the right to information of the people, the participation of the Information Commission as well as other parts of the society namely non-governmental organizations, civil society, print and electronic media, public representatives, politicians, high courts and above all the participation of the people at all levels is essential.

There are some obstacles/challenges in implementation of Right to Information Act. The Government Act, 1923 - This Act deals with the maintenance of official secrecy. Although the Right to Information Act was passed in 2009, due to long-standing practice, the tendency to maintain official secrecy among public and private officials still exists, which acts as an obstacle to the implementation of the Right to Information Act. It is not possible to meet the necessary expenses as there is no financial allocation for taking effective steps by the concerned authorities to implement the Right to Information Act. Despite efforts to create public awareness, people at the grassroots level of the country are still not aware of this law. Due to the fact that the application of online tracking system in obtaining public information online is not yet started, problems are being created in getting information easily.

It is necessary to give financial allocation to the concerned authorities for taking steps to speed up the Act and to provide incentives to the responsible officer, ensure logistical support and financial allocation as well as other officials can be motivated to provide assistance in timely delivery of correct information to the responsible officer. For the proper implementation of the Right to Information Act, public and private institutions must disclose information on a self-motivated basis. Authorities have to play an effective role in 'spontaneous' disclosure of information. As a result, it will be possible to store information properly and will also create interest in self-motivated disclosure of information. Necessary measures can be taken to open online access to public information in all public and private institutions. Right to Information Act can be widely publicized to make people aware of right to information at the grass root level.

The Right to Information Act, 2009 provides a legal basis for access to public information. The Right to Information Act, 2009 is a very important tool to build an accountable, corruption-free and welfare-oriented state. The main objective of this Act is to ensure the free flow of information and the right to information of the people. If all institutions maintain this flow by disclosing their own information, only then the enactment of this law will be successful, transparency and accountability will be created, and good governance will be established. Society is changing in the era of modern information technology and the new globalization system. Office court activities, service delivery methods are constantly changing. New challenges are emerging. By addressing these challenges and implementing the Right to Information Act, the government is committed to building an information-based knowledge society. The Right to Information Act, 2009 will definitely contribute positively in building a new smart Bangladesh with true patriotism and spirit of liberation war.

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