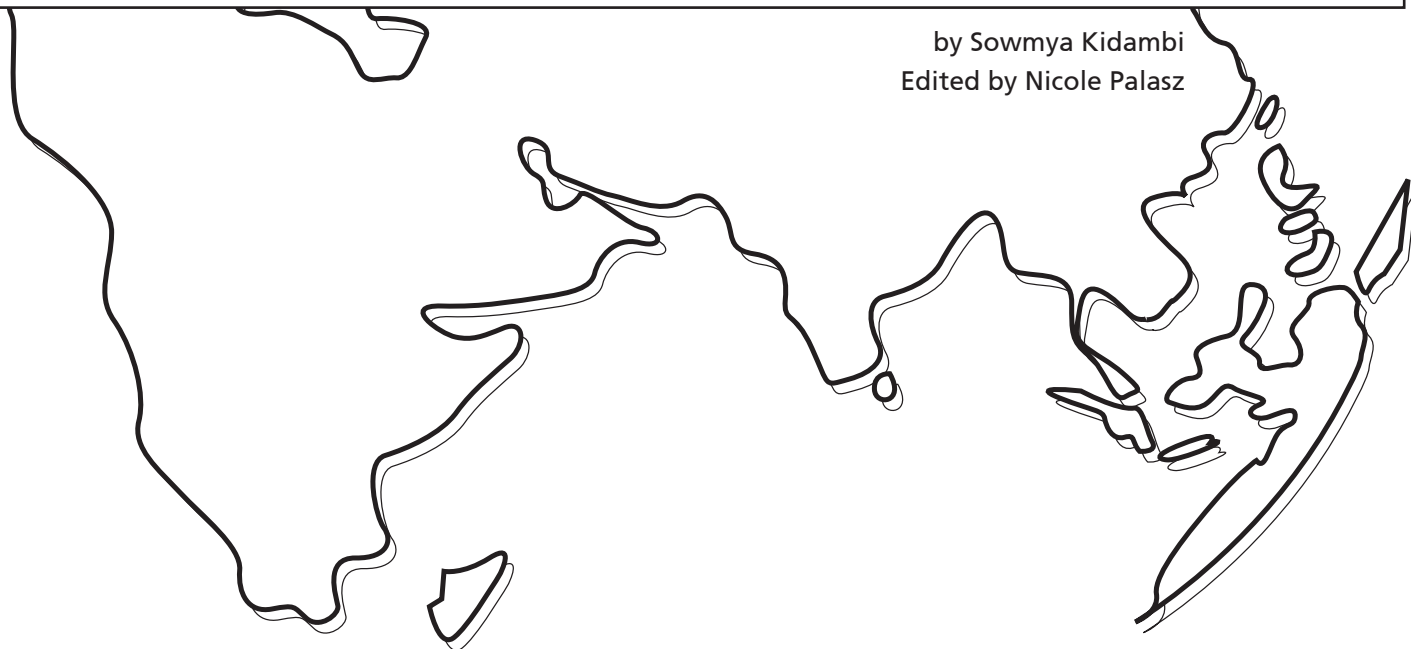


Right to Know, Right to Live:

Building a campaign for the right to information and accountability

by Sowmya Kidambi
Edited by Nicole Palasz



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Mazdoor Kisan Shakti Sangathan (MKSS)

The MKSS is a part of the “non-party political process” in India. It accepts no institutional funds, Indian or foreign. The MKSS depends on mass-based support, though there are only 15 full time workers, mostly from the area. The full-time staff workers earn an honorarium of Rs.73 (\$1.50) per day, which is based on the statutory minimum wage paid to unskilled labourers in Rajasthan.

The MKSS also runs five fair price shops in the market towns in which it works. These shops were set up to ensure that market forces do not exploit the poor, and began with the support of local people who gave interest-free loans from Rs.10 onwards to be returned in a year’s time. Each of these shops now contributes towards the honorarium of one worker in the MKSS.

Campaigns are fully supported by public contributions in cash and kind. Conscious efforts are made to maintain a simple and frugal ethos for living and work.

For any further details regarding the MKSS, you can contact us at:

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The MKSS is closely associated with the National Campaign for Peoples Right to Information (NCPRI) and the Right to Food campaigns. Their Web sites are:

www.righttoinformation.info
www.righttofoodindia.org

Sowmya Kidambi

Sowmya Kidambi has a Masters Degree in Social Work (Urban and Rural Community Development) from the Tata Institute of Social Sciences. She was a full time worker with the Sangathan for eight years, and continues to be a member of the organization. She has worked with the MKSS since 1998, and is currently its representative on an assignment as Social Development Specialist with the Strategies and Performance Innovations Unit, Department of Rural Development, Government of Andhra Pradesh (India) on institutionalizing the Social Audit process as part of the National Rural Employment Guarantee Scheme.

Acknowledgement

This notebook is the outcome of a process, a struggle and an experience of collective learning in which the MKSS has been involved, all of which have shaped and influenced the Campaign for the Right to Information. It is dedicated to all those who have spoken up with extraordinary courage to make the slogan – “**koi tho munde bolo**” (“**someone speak up**”), a reality. It is also dedicated to all those who will, in years to come, use this resource to speak with courage against injustice, inequality and oppression.

As a part of the MKSS and this process, I am only a chronicler of the shared learning of a committed group of workers. I am privileged to have been part of this process, which gave me an opportunity to learn and record these happenings. I have also learned enormously from various members of the MKSS who, despite appearing ordinary to most people, have led extraordinary lives. For this I shall always be indebted to them.



1 January 2008

Dear Friend,

Welcome to the New Tactics in Human Rights Tactical Notebook Series! In each notebook a human rights practitioner describes an innovative tactic that was used successfully in advancing human rights. The authors are part of the broad and diverse human rights movement including non-government and government perspectives, educators, law enforcement personnel, truth and reconciliation processes, women's rights and mental health advocates. They have both adapted and pioneered tactics that have contributed to human rights in their home countries. In addition, they have utilized tactics that when adapted can be applied in other countries and other situations to address a variety of issues.

Each notebook contains detailed information on how the author and his or her organization achieved what they did. We want to inspire other human rights practitioners to think tactically – and to broaden the realm of tactics considered to effectively advance human rights.

This notebook will discuss how Mazdoor Kisan Shakti Sangathan (MKSS) has been deeply involved in a collective process which has shaped and influenced the Campaign for the Right to Information in India. MKSS makes the case that without access to information and transparency there can be no genuine participation of all members of society, particularly the poor, in democracy. The right to know and actual transparency of information provides the ability to demand and access rights.

The entire series of Tactical Notebooks is available online at www.newtactics.org. Additional notebooks are already available and others will continue to be added over time. On our web site you will also find other tools, including a searchable database of tactics, a discussion forum for human rights practitioners and information about our workshops and symposium. To subscribe to the New Tactics newsletter, please send an e-mail to: newtactics@cvt.org

The New Tactics in Human Rights Project is an international initiative led by a diverse group of organizations and practitioners from around the world. The project is coordinated by the Center for Victims of Torture (CVT) and grew out of our experiences as a creator of new tactics and as a treatment center that also advocates for the protection of human rights from a unique position—one of healing and reclaiming civic leadership.

We hope that you will find these notebooks informational and thought provoking.

Sincerely,

A handwritten signature in black ink that reads "N. Pearson".

Nancy L. Pearson
New Tactics Project Manager



Introduction

In May 2005, the Indian Parliament passed the Right to Information Act, which came into effect on October 13, 2005. This act empowers citizens to exercise their sovereign democratic right, under the Indian constitution, to access information and thereby ensure that their government is accountable to them. The Right to Information Act of 2005 applies to the national, state and local governments of India, and provides citizens with access to government records. Under the act, government officials will be fined or have disciplinary actions taken against them if they refuse or delay a request for information, provide false information, or destroy information. (http://www.righttoinformation.info/doc/rti_act_2005.doc)

Simple as the outcome may seem, the battle for this legislation has been long and arduous. The issue had been raised and presented in the public domain for over a decade. If one compares this to other campaigns, success has nevertheless come sooner than expected. A member of our organization Mazdoor Kisan Shakti Sangathan (MKSS, the Union for the Empowerment of Peasants and Labourers), Aruna Roy, says that when the MKSS was sitting on dharna [sit-in] in Beawar in 1996, she was contacted by L.C. Jain, a well-known Gandhian and civil rights activist. Jain congratulated the MKSS on beginning the struggle, but predicted that they would not get the legislation in her lifetime.

No one organization or individual, however, can claim the success of the Right to Information as solely theirs. The campaign for the right to transparency and information has a long history. Mr. V.P. Singh (Prime Minister of India from 1989 to 1990) moved the Government to frame a Right to Information law. Other civil society groups and civil rights activists campaigned for it. What has been significantly different about this campaign is that poor people made a connection among deprivation, endemic poverty, exploitation, denial of participation in institutions of governance with secrecy, opacity, and unaccountable governance. Their slogan says it all: **"The right to know, the right to live."**

Access to livelihood, wages, medicine and other essentials inspired the workers and peasants in central Rajasthan to protest against the opacity of the local government. The **Right to Information (RTI) campaign** of the MKSS is symbiotically connected to an understanding that without information and transparency there can be no genuine participation of the poor in democracy, no ability to demand and access their rights. The Right to Information Act is the result of a collective effort—of organizations and people who battled at the grassroots, in the villages and in urban areas. Many helped draft the law, some helped with critical input or provided the space and infrastructure, and yet others gave monetary contributions. So the credit is shared by a large group. The contribution of the **Mazdoor Kisan Shakti Sangathan** is one of many.

In this notebook I describe the origins of the right to information campaign in India from our organization's

perspective and experience. You will see how our organization began with a strategy of advocating for minimum wage payments for local labourers, but subsequently shifted to mobilizing local populations to demand access to public records that exposed extensive corruption and abuse of power in our state of Rajasthan, India. More recently, our strategy has again changed to engagement with the political process, as we have joined a national lobbying effort to change legislation governing the right to information and supporting transparent, accountable candidates for electoral office. Throughout these changes, our organization deliberated to define the appropriate strategy for our goals, and to identify creative, inclusive tactics to further our strategy.

You'll see how the tactics and strategies we selected helped us build a mass grassroots movement for change and influence all levels of the Indian government. I'll refer to various government officials and processes through this notebook. An overview of the key government structures discussed is available in Appendix A. I've also provided, in Appendix B, a list of translations for Hindi words that appear throughout this notebook.

The origins of the movement

Our work began in 1987 in the town of Devdungri, Rajasthan. The region was experiencing a severe drought that year, and local people were very concerned about work and wage issues. We focused our work on these issues, providing our movement with an immediacy and relevance to the local population. Involvement with an immediate issue is important, both from the point of view of the poor peasant and worker, and also from that of our Sangathan (Union). The members of the MKSS were all from the local area including those who worked full time and those who volunteered their time. Without involvement in what was perceived to be a local issue, linking it up to a larger macro issue would have been exceedingly difficult.

"If you ask poor people why they do not get what they should, the most popular reply will be, that it is because of corruption and nepotism. What is an irritant for the middle class and a theoretical debate for the affluent cuts at the roots of survival for the poor. But it is a unifying concern. The rural middle class is affected by corruption much more directly than the urban group, because the denial of services—the badly built road, the dry well, the dispensary without medicine, could be even a matter of life and death. A bus service or reaching a critically ill person in time to the hospital is dependent on there being a serviceable road. The problem of corruption re-surfaces through the electoral system, where votes are bought and sold. How do we counter this entrenched system? It has been a continuing challenge, which has pre-occupied members of the MKSS."

—MKSS Journal



accounts of its spending was an official secret.

Explaining this concept to the rural poor took some time. Whenever talk of corruption and misappropriation of money took place, the initial reaction would be “the money belongs to the state, let it burn.” This meant that the rural poor did not see money being spent by the government as their own taxpayer money. It was thus essential to explain the relationship between the tax payer and state, as well as the need to know how money was being spent.

Attitudes changed, however, when we were able to convey these concepts, which we did by first

asking the rural poor how they thought the government obtained money to spend on welfare and development programmes. With the recognition that they paid taxes on every purchase—from a small match box to the first injection that a child receives in a hospital upon its birth—there was a growing sense of awareness among the people. We also then asked if people who give money to their children to buy groceries, could later ask for an account of what was spent.

People realized that it was their own money being circulated back to them in the name of development works. They came to understand that they were paying for the civil servants’ salaries, so it followed that the entire government must be accountable to them. This change was brought out in one of the slogans coined by poor peasants, workers, and members of the MKSS: “Our money, Our accounts.”

It was at this point, in 1994, that a young man from Amner village, not far from the MKSS office, came with a complaint of non-payment of the full minimum wage.

In our view, a campaign for human rights must always be firmly rooted in the realities of local people who are affected by human rights violations. The challenge lies in the linking of this immediate concern with the root of the problem. We determined that the underlying problems affecting working conditions and wages in Rajasthan during this time were corruption and the lack of transparency.

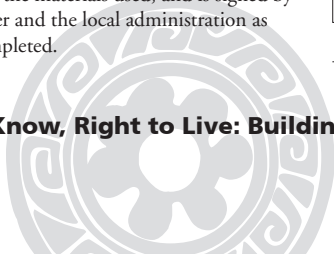
In the late eighties and early nineties in Central Rajasthan, a small organization of peasants and labourers, who had been demanding payment of minimum wages, began to ask for information. These demands were confusing to most people witnessing the sit-ins (*dharnas*) MKSS was staging in various district headquarters. Why did people initially battling for full payment of minimum wages now start battling for the right to inspect records? It turned out that each time the labourers protested at rural employment work sites about the non-payment of wages, they were told that they did not work hard enough. (In the early nineties the government’s statutory minimum wage was Rs.22/- or .50USD.) When asked for proof, they were told that the measurement book¹ indicated that they had not completed their assigned tasks. It was at this point that MKSS members working on the sites decided to ask for the right to inspect records maintained by the administration, including copies of bills, vouchers, labour lists (muster rolls), measurement books, and other records.

Our initial demand was followed by an official denial from the administration, which said that, “according to the Official Secrets Act, 1923, all this information was a state secret and could therefore, not be divulged to the public.” Effectively, then, the money of the taxpayers and



MKSS Office in Devdungri

¹ The measurement book is maintained by an engineer to record the measurement of the work done, the specifications, and the materials used, and is signed by the Junior Engineer and the local administration as proof of work completed.



“It was the summer of 1991 in Bhim, the end of April and the beginning of May. There were 500 of us on dharna, five of us, one from each of the five Districts of Rajsamand, Pali, Bhilwara, Ajmer and Jaipur, on a hunger strike to demand minimum wages on one’s work, refusing to accept an administrative over-ride on the law to deny the minimum wage. The hunger strike was on at the time of a parliamentary election. The electioneering groups that went to the villages to canvass were sent back to settle the real dispute before they came to ask for votes! The local administration was very worried and tense about being caught in the dilemma. The deployment of police at many places was an administrative nightmare, and they wanted to end the hunger strike.

We had got information that the Administration was planning to lift the hunger strikers that evening or night. We prepared for it and decided we would resist it in a novel manner. When they picked us up at midnight we beat the drum and cried on the microphone to wake up the whole town. Even though the hunger strike was forcibly broken, the demands were met eventually, but we decided that the next time round we would look for more innovative and creative modes.”

– MKSS Journal

He, however, had additional information. He had seen the muster roll, with an entry for Rs.22/- per day but all the labourers were being paid only Rs.11/- per day. He had asked the overseer why he was being paid less than what was entered, and was told that he could have Rs.22/-, but should not tell the others what he had seen or mention that he had been given more.

A complaint was made to the local administration. While the enquiry took place, MKSS members informally managed to see records of buildings listed as complete but found to be unfinished when we inspected them. In one instance of misappropriation of funds, 36 lakhs (or 3.6 million USD) was paid out to a fraudulent company called “Bhairon Nath and Sons.”

After the enquiry it was clear to MKSS members that access to the records was a means to challenge the power that lay with the powerful, the influential, and the administration. It was also a way to effectively ask for a share of governance. Until that moment, people had been battling a system in which they were discriminated against on the basis of poverty, caste, religion, and gender. And yet here was a tool whereby the poor person found a foothold to push the door wide open and demand transparency from a system accustomed to slamming that door in the faces of poor people who asked for their rights.

Versions of the truth

“We were all fed up with the so called ethical arguments, waged against us. After and during every struggle we were put in the dock. And we had to prove our truth. The oppressor group was always right and we were wrong-whether it was land-related struggles, the ration shop’s malfunctioning, the school teacher being absent, essential drugs not available at the dispensary, the bribes demanded by various functionaries.”

Members of the MKSS in the MKSS Home

It was one cool evening when we sat on the chabuthra (platform) outside our mud hut – Mohanji, Narayan, Lal Singh, Kheemu, Chunni Bai, Anshi, Shankar, Kalu, Chunni Singh, Hanswarup, Susheela, Nikhil and I, amongst others – and discussed the futility of expecting any semblance of ethical action by a corrupt and alienated administration. It is an evening I will never forget. They articulated the growing recognition over years of struggle and what became the Right To Information (RTI) campaign’s basic assumption. With amazing clarity and simplicity they said, “So long as these records do not come out, we will always be liars. They have to come out, if we are to survive.” Contrary to much that is believed, the poor peasants and workers gave birth not only to the struggle, but the ideology and the form it took. We believe that poor people think, and think as well as the literate do. In fact their ideas are rooted in



a common sense from which literacy alienates the schooled, because the theory subsumes the reality very often. It is a belief in this wisdom of common sense that has strengthened and defined the campaign.

The methods that were chosen in our basic political struggle for this right, therefore, were born in this context. Every forum and form was discussed and had to fall within the ethical framework of transparency and accountability that the RTI struggle was beginning to define. Inspired by Gandhiji’s political wisdom, we were aware at all times that means must match the ends. (MKSS Journal)

This discovery led us to question the tactics we had been using to advocate for improved working conditions and wages. Growing concern about the ineffectiveness of trying to work with an insensitive government began a debate on the tactics needed to make the government act—even react. Since people continuously needed to return to the same government for redress, with their demands usually receiving a blind eye and deaf ear, we clearly needed to find new tactics.

One of the lessons of MKSS's earlier struggle for minimum wages and of related "sit-ins" was that hunger strikes were no longer a very effective tactic. During our two hunger strikes, in 1990 and in 1991, we found the government indifferent to the fate of those involved. In fact, the local Member of the Legislative Assembly, the elected representative to the State Government, said, "Let them die. There will be seventeen less in an over-populated country!" The pressure after the first few days began to show in the deteriorating health of those on strike. The collective itself found it difficult to watch fellow members wasting away, and lost its appetite for the struggle. We recognized a dilemma: if the hunger strike continued indefinitely, the MKSS would have had to appeal to the same administrative machinery we were protesting against if we wanted to save the lives of the strikers.

Strategic goal and principles

Given our values as an organization, we needed to identify a strategy and tactics that would be participatory, transparent, and humble.

Throughout the search, we were determined to find a method in which people could be involved from beginning to end. We also focused on the use of the public domain and public space.

We turned our attention to involving citizens in a struggle to demand the right to information, which would provide the basis for citizen activism and participation in a movement for economic and social rights. You'll see that the tactics we identified served our strategic goal of building an effective, participatory democracy in India. In the pages that follow, I outline a number of the tactics we used to build public support for and participation in the struggle for the right to information:

- *Jan Sunwai* (public hearing)
- *Dharnas* (sit-ins)
- *Ghotala Rath Yatra* (Chariot of Scams)
- Street theatre
- Songs and slogans
- *Truck yatra* (truck journey)

We used these tactics alone and in conjunction with one another. In all cases, we tried to make the tactics fun, informative, and symbolic.

JAN SUNWAI, OR PUBLIC HEARING

For a long time, members of the MKSS had felt that jolting the government and the administration out of

their complacency required a new method of placing our demands. Because repeated complaints and protests had yielded little action, it was felt that the best approach would be to go to the people and ask for justice. And thus the tactic of a *jan sunwai* (public hearing) was born.

Used as a tactical forum, the *jan sunwai* is somewhat like a court, but does not pronounce judgment. In these public hearings, local people can come forward to speak the truth about what they have seen and experienced. This creates more accountability in the process, because those participating are from the same village, making it less likely that they will counter a false statement. Everyone who wants to speak can make a request and be heard.

The collective did lay out some initial ground rules. No one in an inebriated state, using un-parliamentary language, or speaking on behalf of a political party or caste group, is allowed to speak. With these norms established and accepted at the beginning, the hearing was seen as a flexible forum, with a strong ethical conditionality to the testimonies.

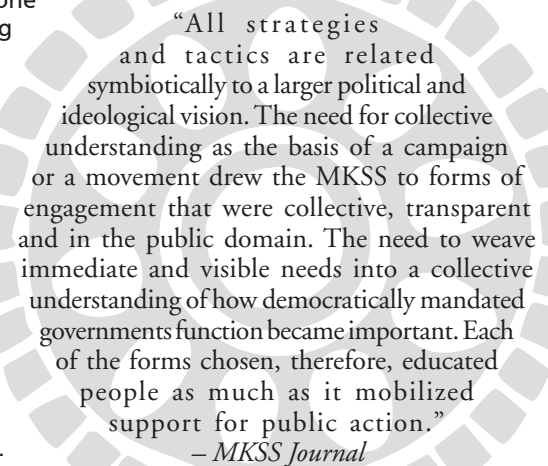
In these public hearings, the facts, including details of records, are pro-actively shared with the village community and thoroughly

verified. This is done by investigating the work, speaking to the labourers who had worked on the site, and

encouraging them to give testimonies about actual expenditures. (See the box "Tactical Steps: *Jan sunwai*".)

We might, for instance, ask the following questions about a particular construction project:

- How many bags of cement and how many tractor loads of stone were used?
- Where did the stone come from? Some areas in Rajasthan are hilly with huge rock formations. It is often unnecessary to get stone from very far-off places, and yet in many instances we found fraudulent bills claiming that the stone had to be brought from great distances. These had been booked as expenditures incurred.



"All strategies and tactics are related symbiotically to a larger political and ideological vision. The need for collective understanding as the basis of a campaign or a movement drew the MKSS to forms of engagement that were collective, transparent and in the public domain. The need to weave immediate and visible needs into a collective understanding of how democratically mandated governments function became important. Each of the forms chosen, therefore, educated people as much as it mobilized support for public action."
— MKSS Journal

- Where did the sand come from? It was the same case with sand. Rajasthan is a desert and sand is plentifully available for use at worksites without having to buy it. The bills for cement used and other such materials were often inflated, as well.

As we began to use this tactic, we had much to learn. The measurement books were written in a complex mathematical manner that needed to be demystified. They almost always seemed to reflect more than was actually built in an area. As we visited more development projects listed in the measurement books, we saw that rooms from school buildings and police stations were found to be missing. The presence and help of a junior engineer, Gireesh Bhugra, who came to help and educate us, was invaluable.

In any public works project, two kinds of records are very important: the bills and vouchers for materials and the muster roll² for labour costs. The muster rolls are a big source of illegal graft, for it is possible to put down many names and claim huge amounts. As it has been found time and again, anywhere you look there are fraudulent names. In Kot Kirana (1994), for instance, names of dead people were on the muster roll. Names are very often copied from electoral lists, so they can include people



A rural public hearing on food security

on migration, or members of the middle class who rarely go for wage labour. (Casual manual labour is mostly restricted to earthworks, jobs only the rural poor do because they often have no work choices.)

When a complaint came, then, for non-payment of minimum wages from the Panchayat of Kot Kirana, District Pali, the MKSS decided to access the information informally from the Block Development Officer's (BDO) office and place it before the people.

"When I went to the BDO's office in Raipur, there was general consternation and worry. They could not understand how I had been given permission to enter, let alone see the secret records (muster rolls and bills and vouchers). They continued to look in at me through the open window while I laboriously copied the bills, vouchers and muster rolls of several works, as if they could not believe their eyes. I thanked my stars that my father was a Patwari³, and I had some familiarity with these documents. But I was immensely excited, because I could discern a lot of inaccuracies and discrepancies.

When I took these documents with other MKSS colleagues to the persons on the list, all hell broke loose. The people were enraged, and the local mafia got ready to suppress the information and at all costs to prevent the jan sunwai (JS), scheduled to be held on the 2nd of December 1994. The Administration, the local netas⁴, the police, the liquor mafia combined together to try and prevent the jan sunwai. There was equal and matching anger and reaction from the local people who had been cheated, many of whom were powerful local citizens.

Tactical steps: Jan sunwai (public hearing)

1. Accessing records of a public work
2. Demystifying the information by collating it in a manner that helps people understand it.
(For example: if a labourer has worked for 50 days at a work site over a period of 9 weeks, there would be 9 labour lists—one for each week—on which his/her name would be entered. The method of collation ensures that labourers' names, their number of days worked, and the amount of money paid to them are all entered on one sheet to facilitate the verification process in the village.)
3. These records are then taken into the village where the work took place, and a door-to-door verification with the labourers who worked at the worksite is carried out to see if the sheet matches what they have to say.
4. Worksites are visited and information cross-verified with the Measurement Book entries.
5. A public meeting, called a jan sunwai or public hearing, is organized where people come and testify. Officials are invited to this meeting to hear the testimonies.

² Muster rolls are labour lists that are very important for identifying workers, the quantum of work, attendance, the rate of work, wages assessed, and claims from the government for financial sanctions for recovery.

³ Lowest revenue official at the village level, who collects dues from people and is also the keeper of many government records. The Patwari is almost always the most influential and therefore the most feared of government officials.

⁴ Elected representative

(Shankar from the MKSS Journal)

The demands placed before the Government were simple but fundamental. They were:

- transparency of all panchayat records
- accountability of officials and elected representatives at the panchayat level
- a peoples' audit or social audit⁵ (A people's audit is a "verification process" or "audit" carried out by civil society groups or those other than an implementing agency for a work. The findings are put forth in the public domain. A social audit is a similar process of verification, but is in collaboration with the government, where the infrastructure is provided by the government, but the actual process of verification is done by other groups of people.)
- redress: embezzled development funds being recovered and paid back to the village

The first phase of *jan sunwais* was held before there were legal entitlements to access information, and followed a pattern similar to that of Kot Kirana. These were the Public Hearings in Kotkirana (December 2, 1994), Bhim (December 7, 1994), Vijaypura (December 17, 1994), Jawaja (January 7, 1995), and Thana (April 25, 1995). All of them were full of drama and the public response was overwhelming.

The villagers came not just from the local area but from far-flung villages to see what was happening. People came and testified. They were few initially, but they testified in front of an independent panel and the response was tremendous. Members of the MKSS had organized big public meetings in the past, but these hearings satisfied their expectations of an alternative for allowing free and responsible expression and created a general feeling of empowerment. It became a popular approach and, most importantly, the villagers supported the public hearings. With the findings from these four public hearings between December 1994, and the end of April 1995, it was clear that the need to access such records was absolutely necessary. It also became apparent that,



Records being used during a rural public hearing

When we all went to Kotkirana, we intended to sleep in the school building as we always did. But the local people, particularly the youth, took us home and said, 'we have heard that the local mafia is distributing liquor to have you all beaten up! They were telling people that the *jan sunwai* was cancelled'. But people came and more than a 1,000 people attended the *jan sunwai*. There was a microphone and an old parachute under which we sat. There were so many testimonies, despite the non co-operation of the local administration. The Panel or Jury of eminent persons from outside and ONE newspaper reporter, whom we had persuaded to come, helped make the event public. The rest is now history!!"

– MKSS Journal

without a legal entitlement and the evolution of tactics and strategies to get it framed, the issue would remain localized.

As soon as the administration realized the impact this tactic would have on their functioning, there was resentment and reaction. The first organised protest occurred in January 1995, when the Gram Sewaks⁶ decided that they would give information about their records only to their seniors in government or auditors.

We always sought as much information as possible before organizing a public hearing, but the tactic also worked with only partial information. The 1995 *jan sunwai* in Jawaja was held on the basis of people's information without comparative government records, but was still as powerful in mobilizing and sustaining public opinion as the earlier three *jan sunwais*. In fact, one of the important results of this public hearing was the series of demands for information from Bagmal, Asan Panchayat, taking the RTI campaign further and adding more members. In this case, many people who had been refused second installments for housing grants were immediately given the money. There were many such incidents in all the public hearings.

As a result of the hearing and the impact that the sit-ins were making, the Chief Minister who was touring and canvassing for votes in the forthcoming *Panchayat* elections made election promises in Jawaja. He promised to make bills, vouchers, and muster rolls transparent by giving authenticated photocopies. He made a similar statement in the State Legislative Assembly, which was duly reported in the press by the Dainik Navjyoti, a Hindi

⁵ Most of the disclosures on defalcations and graft were after the financial audit. The social audit or people's audit complements and supports a financial audit. In Rajasthan, the government has passed a statute requiring a social audit to be conducted in ward sabhas (meetings) in the Panchayats.

⁶ Gram Sewak, secretary to the Sarpanch, the elected representative who heads the Panchayat, or village council



Person testifying at a Rural Public Hearing.

Daily published from Ajmer.

The *jan sunwai* in Thana was also held with partial information. But the fact that Ladu Singh, a member of the MKSS, was *Sarpanch* obligated him to make information available. The *jan sunwai* attracted other *Sarpanches* from elsewhere in Rajasthan and the campaign increased its spread.

The new tactic of *jan sunwai* yielded some dramatic results, including:

- *Sarpanch* Basanta Devi of Kukarkheda Panchayat in Rajsamand district returned Rs.50,000 (1,250 USD) against a fraud of Rs. one Lakh (2,500 USD) that the people confirmed when development works of the last three years were evaluated by them in the *jan sunwai*. The other fifty thousand rupees she planned to return in two installments in the next two months.
- *Sarpanch* Chhaggan Singh from Rawatmal agreed to return the embezzled money against a fraud of Rs. 1.50 lakhs in his panchayat in Ajmer district.
- *Sarpanch* of Surajpura in Ajmer district agreed to return the money against a fraud of Rs. 5 lakh.
- In Umarwas *Panchayat* of Rajsamand district, a large embezzled amount was recovered from Ward Panch Nain Singh and Panchayat Samiti member Kamala Devi, proxy leaders of the village who used the dalit *sarpanch* as a rubber stamp for their malfeasance; the fraud was unearthed in a *jan sunwai*. (Source: Neelabh Misra-RTI Discourse in India)
- In Janawad *Panchayat*, after a public hearing held in 2001 (following passage of the RTI Act in the state of Rajasthan), it was found that millions (1 crore 23 lakhs, with a crore equal to 10,000,000) were embezzled over 6 years. While the members of the MKSS and residents of Janawad *panchayat* were trying to access records, construction activity was taking place. Buildings that should have been built six years earlier

(according to the records) were being built then to cover the trails—so much so that a veterinary clinic was built on the top floor of an existing building. It was only when members of the MKSS pointed out the ridiculousness in expecting a buffalo to climb a narrow staircase to be treated that the board of the veterinary clinic was shifted to the ground floor. The outcome of the Public Hearing was a state-level enquiry which charge sheeted 21 people. (Charge sheeting means that criminal charges were pressed against them and police cases (FIR) booked.) For the first time people working in the administration were suspended through departmental enquiries. These included Block Development Officers and Executive and Junior Engineers. Recoveries were ordered from them. There are multiple cases of fraud still pending against them, and the Anti-Corruption Bureau has registered several charges in separate cases.

- In the *jan sunwai* held subsequent to the changes in the Panchayati Raj Act after the 1997 *dharna* (sit-in), the administration was present. The authenticated information was made available, albeit with duress, and there was a reluctant acceptance by the authorities that transparency had in fact come to stay.

The “Public Hearing” has become a common method of addressing larger issues of hunger, displacement, and other rights across the country. The dialectic is never a clean and tidy process, especially since those engaging in it are from completely different paradigms, with truths that cannot always be proven. Yet there is a need to go beyond clearing the confusion, beyond information, towards participatory democracy.

Dharnas

Despite our successes using the tactic of public hearings, we determined that we would need to combine this approach with other tactics in order to have a larger impact on the issues of transparency and participatory democracy.

After a year of waiting for the Chief Minister in Rajasthan to follow through on his commitments to increase transparency, the MKSS gave notice of a *dharna* (sit-in).

MKSS activists took the newspaper cutting outlining his promises and went from one administrative office to the next trying to find out if any order had been passed. When they finally approached the Chief Secretary of the State, he said that while the Chief Minister made a lot of assurances, but that did not mean that he had to follow up on them. The Chief Secretary probably did not realize how his statement actually gave the MKSS ammunition to fight for the right to information with renewed vigour.

It is important to note the change in our tactic of using the *dharna*. As I mentioned in the beginning, the pressure on a group which is fighting a collective battle is immense when some of the *dharna* participants are on a hunger strike. Hunger strikes make a protest a time-bound activity because the body can take the

onslaught for only so long. The entire group feels the pressure of their colleagues' physical discomforts, which raises everyone's anxiety level. When the administration does not respond, it weakens the group.

As far as the administration, there is a definite lack of compassion. A hunger strike makes members of the administration resort to picking up the strikers forcibly and force-feeding them in the hospital. We determined that while hunger strikes at sit-ins made the collective get weaker, the administration grew stronger.

In the case of long sit-ins *without* the hunger strike, however, the administration became weaker, while those participating in the sit-in found ways to make their protest more colourful, vibrant, and strong, using theatre, music, and other modes of getting people involved. This form of *dharna* could also be sustained for a long battle.

BEAWAR DHARNA: MAY 1996

One year after the Chief Minister's assurance, the MKSS was still battling with offices to obtain access to their records. After one calendar year of waiting, the MKSS gave notice to the Sub-Divisional Magistrate (SDM)⁷, in Beawar, of the decision to sit on *dharna*. There was a flurry of activity, and an emergency cabinet meeting was convened. The SDM in Beawar requested that the MKSS stay its *dharna*, as the demands were being met, but we were very clear that the *dharna* would continue until the order was presented in writing. The government's orders gave people the right to inspect. The MKSS wanted the fulfillment of the democratic promise of the Chief Minister to give the people the right to information, and made clear that anything less than authenticated photocopies would be unacceptable.

The MKSS made extensive preparations for the Beawar *dharna*. It was going to be a long haul. The groundwork included a march from village to village talking about the need for the right to information.

One strength of a *dharna*, especially those organized by the MKSS, is its variety. At *dharnas*, you can find everything from a pitched tent with a few people playing cards to a big event in which people make speeches to the gathered audience. The MKSS consciously decided that each day of this sit-in would be different, and that an effort would be made to involve the people of the town from a cross-section of society and get them interested in the issue.

Initially, people wondered about the nature of the

⁷ Indian administrative patterns include the District Collector and then Sub-Divisional Officers called SDMs or SDOs. Beawar falls in the Ajmer District, and is its biggest sub-division. The district administration is divided into different levels of hierarchy and given different functions due to the sheer size and volume of work involved in a district. A Sub-Divisional Magistrate is the head official of a sub-division, an administrative unit below the level of district. An SDM has several executive and magisterial roles to play under Criminal Procedure Code of 1973 and several other minor acts.

⁸ A complicated and popular betting game played extensively in India, sometimes with very high stakes for such activities as cricket matches, elections, etc.

"A "sit-in" at the nearest city would draw attention to the problem, so the SDM's jurisdiction was chosen. Strategically Beawar had great advantages.

It was a town with a history of struggle. Even though it was not the District Headquarters it was a bustling centre of business activity. It was also in the centre of the State of Rajasthan and supporters had easy access to it. People promised grain, a kilo or two from each home, and a promise of a few days at the sit-in, in which some of them would certainly come. At a time of drought this contribution reflected great commitment, for it meant that at least one person gave up their daily income. There was a steady strength of 250-500 people every day in Beawar for the 40 days that the *dharna* lasted."

— MKSS Journal

demand.

A group of poor people, predominantly women (therefore also known as the "ghaghra paltan" or "skirt platoon" by most of the people who saw them) demanded not the usual "roti, kapda, or makaan" ("food, clothing, or housing") but asked for "the right to information." It puzzled most people for whom such a demand did not initially make much sense, and who were also very curious about the nature of the demand being made. They would come to the tents pitched by the MKSS at "Chaang Gate" – the central place in the town of Beawar. People from all the surrounding areas came to do their shopping and to catch connecting buses or other modes of transport from this place. The MKSS could not have chosen a better spot for the sit-in than this busy area, which eventually became a topic of hot discussion amongst the people.

Kamla Dagdi, a member of the Municipality, came and said, "You had better win. I have a lot of stake in it." Surprised at her anxiety, MKSS members told her she should petition the Chief Minister, for they could not do more than protest. One of the MKSS group members asked her why she was so keen. Her answer was, "We have played satta⁸, and I have bet that you will win!" Some said the government would never give in. A lawyer who came to the *dharna* many times said, "It's a valid issue. But which rotten system is going to pull its heart out in public interest?"

While these debates were on, there was a growing bond between the *dharna* and the people of the town. The vendors at the vegetable market facing the *dharna* tent gave free vegetables as their contribution, a merchant allowed the MKSS to use his empty courtyard to cook food and eat, rest houses of all communities opened up for the women to bathe and use the washrooms, and water was paid for by a merchant in the edible oil business. Donations were given—a young schoolboy gave Rs 2/- a day, while the person who swept the road near the *dharna* tent gave Rs 10 a day. Tea was at half price,

“Songs and theatre are used in protests all over the world to communicate. In a largely illiterate social milieu, however, songs and theatre bond us together. But more than that they also give and share information and educate, make the logical links so effectively and pithily. It would take hours of discussion to have the same effect. More important, they draw on the local strength of people, who can compose lyrics with the greatest of ease, and set them to song. This is involvement, participation, and commitment. It is of course solidarity. The song gets sung, learned, and sung many times over. All these songs are now sung all over Rajasthan. Some in many parts of India.”

– MKSS Journal

NOTE: See other New Tactics Tactical Notebooks on using theater for education and action.

lemonade was subsidized, and the support was immense. In addition, there was a long and very important list of well-wishers. MKSS collected 84,000 rupees in cash, and had a transparency board displaying income and expenditures. Everyone was invited to ask for details, if they so wished.

The issue caught the imagination of those who heard about it and came to the sit-in. Eminent people, including activists like Medha Patkar, and journalists like Nikhil Chakravarthy, Kuldip Nayyar, Ajit Bhattacharjea, Prabhash Joshi, and Bharat Dogra. (All these people are very erudite and eminent people, leading journalists in India, who have stood by and supported the RTI Campaign right from the time it was just a small movement in rural Rajasthan, to what it is today.) Retired judges, trade unions, and peoples’ organisations also came. In all, 400 organisations signed up in support. The local newspapers played an important role in reporting on the event, with the reporters and stringers of bigger dailies not missing the *dharna* for even a day. Kavita Srivastav, general secretary of the People’s Union for Civil Liberties (PUCL)⁹ and well-known human rights defender in Rajasthan and friend of the MKSS, helped with the advocacy of the campaign.

There were varied cultural events with singing, music, plays, and slogans. Songs of protest began to be written about the false promise made by the high priest (the Chief Minister) to the people of the State, in the temple of democracy (the Legislative Assembly). Other songs included “Main nahi manga” (“I Don’t ask for...,” followed by a list of things like gold, bungalows, fancy cars, rich food, Pepsi / Coca-Cola, bottled mineral water, and ending with “I want photocopies of the accounts of the government”), and “Choriwado ghano hogayo re, koi tho munde bolo” (“Thefts from the Exchequer have increased manifold, someone speak up;” this song

again listed out all that had been stolen...cement, sand, stone, poor people’s money). The songs were interactive, and people joined in with the singing.

One of MKSS’s greatest lessons from the Beawar Dharna was that the creation of a sustained, open, public forum elicits response, involvement, and participation. Time and time again, ordinary citizens who came to the dharna said, “Why don’t you stay on in Beawar, and sustain this platform? This forum has given us dignity and a voice.” Initially we were looked down upon as a set of ragamuffin street fighters, and the elite turned its nose up. But later, as important public figures came to support the struggle, the issue got its context clearly defined; the forum expanded and got the enthusiastic support of many kinds of groups and individuals. It became the centre of all discourse in Beawar for those 40 days!” (MKSS Journal)

We lifted the *dharna* when the Chief Minister promised that the assurance made to open the records would be honoured and set up a committee to look into it.

The forum and the space were used to create a debate and discussions on issues of corruption, the duty of the state, and the role of the citizen. Ordinary citizens got a public platform. Corruption and broken promises were causing caused anger and unhappiness not merely among the seemingly helpless poor but among people from all sections of society. The obvious loss of ethics in public life made the right to information a universally important issue.

JAIPUR DHARNA: MAY 1997

The committee set up by the Chief Minister produced a report. But this report on transparency became a secret document! After a year of persistence and waiting, with the documents remaining opaque, the MKSS organized a series of *dharnas* in the six divisions of Rajasthan, ending with Jaipur, the capital city, in which we staged a 53-day *dharna*. This time the *dharna* was organized at the state capital just outside the Secretariat. The date was set for May 1997, the year of the Golden Jubilee of India’s independence.

The spot chosen was the “Statue Circle,” which again was not very far from the secretariat and the government offices. This circle is a popular spot in which people from all strata come and enjoy an outing. There are lush lawns, which are kept green and wet even at the height of summer when people in the city suffer from acute water shortages and people around the desert state are praying for water. (This in a state where women in the rural areas have to walk miles for a couple of pots of drinking water, and where drought is a perennial and accepted situation. Over the years, people have fought, demanding access to water because rural sources, such as wells, have dried up and there are no other sources. The government promises hand pumps and water pipelines, with millions of rupees sanctioned for the same, but this is also a State where money has been siphoned off, giving people only false hopes of water.)

People from the richer classes came to the statue circle

⁹ PUCL is India’s largest human rights organization



A sit-in and protest march in Jaipur



for their morning walks and evening jogs. Many of them were amongst those sitting in the offices hearing the songs of protest, slogans, and speeches over the microphone and faced with the daunting prospect of seeing the protestors in the evening at the Statue Circle.

While the protests went on outside, much tension was building up within the government circles. They could not justify their stand of secrecy on the basis of an Act as outdated as the "Official Secrets Act, 1923," a colonial legacy—one of the many left behind by the British. Independent India had not rescinded the Act, but continued to use it to suppress and deny information, in some cases even going to absurd limits such as denying published information on the grounds of security.

The MKSS simultaneously used methods of advocacy to dialogue and debate at various levels in the Government. Termed "limited engagement" by Aruna Roy, member of the MKSS, it is a process whereby one engages with the government in areas where dialogue is possible and a possibility of change is seen. However, at the end of that engagement both sides know that they have their own larger role to play in ensuring its enforcement.

¹⁰ In translation: *svarna jayanti* (Golden jubilee) *ke uplakshme* (on the occasion of) *ghotala* (scams) *rath* (chariot) *yatra* (journey), or Chariot of Scams Journey on the Occasion of the Golden Jubilee.

GHOTALA RATH YATRA, OR THE CHARIOT OF SCAMS

The Bharatiya Janata Party (BJP) was the ruling party in Rajasthan at this time and was refusing to pass any legislation that would allow citizens access to information. It was ironic that, at the central level, the same party was preparing a grand "*rath yatra*" (chariot campaign) to be undertaken by their national leader, Shri. L.K Advani. The campaign was to highlight the prevalence of "*bhay, bhook, aur bhrastachar*" ("fear, hunger, and corruption"), and suggest modes to lessen if not eradicate them.

The *rath yatra* was due to pass through the State of Rajasthan. It was at this juncture that the activists of the MKSS decided to stage their own "*Svarna Jayanti ke Uplakshme Ghotala Rath Yatra*," the difference in approach being that while the other chariot campaign was to protest fear, hunger, and corruption, the chariot campaign of the MKSS would be a political lampoon on hollow promises and campaigns. It also highlighted the scams that had taken place since India had gained its independence. This gave birth to the political satire of the "*Ghotala rath yatra*"¹⁰ or "Chariot of Scams" which became an immensely popular way to involve people further in the campaign.

The MKSS's "Chariot of Scams" was also different in its appearance. The chariot of the BJP was a fancy, air-conditioned caravan, which had all the amenities the political leaders required. The MKSS's chariot was a pushcart, normally used by street vendors (something the common person could identify with, inexpensive and easily available), which was adorned with an old curtain and some other materials donated by friends.

A chair was placed on the pushcart, and there were two dummy horses in the front. There was also an old umbrella with a series of boards hanging from it, one for each scam that had taken place in the 50 years since independence.

Shankar, an MKSS activist and gifted communicator, dressed up as a politician named "Shri. Rajvani" (the voice of the state), which also rhymes with Advani (BJP national leader), and sat on the pushcart's chair.

The birth of this idea was two-fold. The most important was the lampooning of gimmicky promises by political parties. The other was also identifying a mode that would take the message of the dharna to all of Jaipur. Unlike Beawar, Jaipur is a huge city; the dharna was near its official hub, but what about the common person. So the idea was that this chariot would go to different localities every day.

By the end of the 53-day dharna, it had visited 63 enclaves and residential colonies, of the poor, the rich, the middle class, the bustling old city, and the market places

— MKSS Journal



Shankar as Shri. Rajvani ("the voice of the state") riding the Chariot of Scams

Announcements were made for days at the sit-in that Shri. Rajvani, popular leader of the masses, was coming to Jaipur from Delhi (the national capital) with his "Rath Yatra", and was going to address the gathering. The Central Intelligence Department (CID)¹¹, members of whom were supposed to be keeping tabs on what was happening at the sit-in and give the administration daily updates, began to mention this in their reports. People began to ask questions "Who was coming, from where, and why?" The MKSS capitalized on this and made frequent mention of this impending visit. Special announcements were made that since Shri. Rajvani was to be a State Guest; he would be staying at the VIP guesthouse. No one seemed able to figure out who this person was, and the curiosity grew.

Finally, on the mentioned date, the MKSS announced that its guest had arrived and that the procession of the chariot was about to begin. The entire team of the MKSS and other people at the sit-in began to line up behind the chariot. The State and the police had prepared well for the visitor! Suddenly, from behind the tent, Shankar emerged in the popular attire of the politician Rajvani, got on to the chariot, and the procession began. The police who had been ordered to ensure adequate arrangements also swung into action.

There were policemen on motorbikes on either side of the chariot, absolutely unaware of the sarcasm or the fact that the joke was on them. The chariot of scams had a song, based on the tune of a popular Hindu *bhajan* or hymn. Most of the people on the streets did not know what to make of the procession. Some joined, thinking it was a religious procession, until they heard the words and looked closely at the procession. Some thought it was a political rally by some poor candidate. Most misconceptions were dispelled within a few minutes when the procession stopped and Rajvani addressed the crowds. His speech, full of political satire and extraordinary wit, and based on the real condition of India, was a sellout. People listened spellbound and applauded, in most cases joining the procession, and

often following it with a visit to the *dharna*. The *Ghotala rath* also collected money in donation. The government found itself helpless to stop the spoof; it was not a roadblock, or a violent political protest breaking rules. What, after all, could they do?

The media loved the act, the common person was enthralled by it, and the administration was left seething, with no clue as to how to counter it, nor how to stop the immense impact!

The calling of a bluff on political gimmicks like *raths*, *yatras*, and false promises, establishes immediate communication, and people respond with complete understanding. The common person has been taken for a ride and deprived of so many essential services and necessities because of corruption, nepotism, and misuse of democratic institutions, that the *Rath* appeals at a basic level and draws an immediate response.

The identification of this method of communication and mobilization has been invaluable in the Right to Information campaign. As a tactic supporting our overall strategy, it has been a brilliant combination of many genres. The *ghotala rath's* ability to land anywhere and begin communication has given it a special place in the tactics used by the RTI campaign.



Shri. Rajvani addressing a street corner meeting

With the growing popularity in the media of the Right to Information campaign, including newspaper reports both in the regional and national press, TV coverage, and pressure from civil society and the political circles, the State Government found itself incapable of handling the issue.

As the MKSS moved into the 56th day of its protest in the city of Jaipur, the government conceded and passed an order amending the *Panchayati Raj Rules*.¹² This amendment ensured that people could inspect records

¹¹ Central Intelligence Department, or Internal intelligence, is a permanent guest at all activist functions, reporting on the activities.

¹² In the three-tier system of governance that now exists in most states of India, based on the 72nd Amendment, Panchayati Raj is the first tier, promoting self-governance in the rural areas.

from the *Panchayats* and obtain photocopies within four days at Rs.2/- per photocopied page. The order was backdated, and the government tried to score points by stating that it had been passed before the MKSS *dharna*, claiming that the sit-in was an attempt to discredit the government.

STREET THEATRE

In addition to the *Ghotala Rath Yatra*, the MKSS used the effective communication tactic of street theatre to introduce the Right to Information campaign in a new area and enter into a debate with ordinary people. A street play entitled *Khazana* was particularly popular.

The *Ghotala Rath Yatra* was a very popular and powerful lampoon, a satire on political gimmickry, used by the MKSS to enter a dialogue with the common person on the street. It exposed the hypocrisies and lies of the ruling elite and highlighted the problems that the poor were facing due to a corrupt system and its inherent nepotism. But what about taking the issue further to state the importance of transparency and the right to know as a remedy for this malaise? How was the issue of the Right to Information to be introduced to the onlookers present at the street meeting? While distributing *parchas* (pamphlets) on the issue was one popular method (used by the MKSS during every organized event), we felt that there had to be something more that could establish immediate rapport and begin a dialogue with people who gathered to see the show.

After much discussion we decided to create a street play through which the issue of the RTI as a tool to fight corruption and arbitrary misuse of power could be introduced in the public domain.¹³ The play "Khazana" (Treasury) was born out of discussions and suggestions that the group had with playwright Tripurari Sharma.¹⁴ The play had few props and could be performed anywhere. It involved a group of people finding a treasure and then, to safeguard it, appointing three people, the *Zimmedaar* (Person Responsible – Politician), the *Jaankaar* (the Knowledgeable Person – Bureaucrat) and the *Chowkidaar* (the Guard – Police). The three form a nexus and begin to steal from the exchequer. When the people who put them in those positions of power ask for the treasure to use it for their immediate necessities, they are told that no such treasure exists. This leads to protests against the three trustees, with the people demanding answers about the treasure. There are further protests, and the final scene of the play shows a tug-of-war taking place between the people in power and the common people. Demands are shouted out, and for each there is a negative response.

At this point, the *Sutradhar* (*Anchor*) enters and asks the crowds watching the play, "So whose side are you willing to take?" The response has always been, "We are on the side of the people." *Khazana* has been taken along with the *Ghotala Rath* to all the big events held in India, such as the Asia Social Forum in Hyderabad (2003) and the World Social Forum in Mumbai (2004). It has also been to many small towns in Rajasthan, and its popularity has been widespread. Reactions to the play

have been varied, from anger against the system to immediate involvement.

SONGS AND SLOGANS

As mentioned earlier, songs have been a very popular mode of communication. Our organization has endeavored to keep the lyrics simple and the tunes as familiar as possible, to encourage more people to sing along and participate. The songs are sung at many places in Rajasthan, and have become so popular that cassettes have been recorded for sale. Some of the most powerful songs have been written by women who have voiced their anger, frustration, and disillusionment with the government. Be it "**Darpo mati, main tho mara haq manga**" (Don't be afraid, I am only asking for my right and not your power), or "**Khagyo re parshasan re...main tho chade dhade boloon**" (the administration has swallowed...followed by the bags of cement, tractor loads of cement, I will say it aloud in the public arena), the songs have been catchy, racy, and fun. They have been sung with a great deal of gusto, and even on a day when one is feeling overwhelmed by what lies ahead in the days of struggle, they have kept people going.

The MKSS has also made very effective use of slogans in all of its campaigns and events. Slogans are the language of the people, and come from the understanding and thoughts of the people themselves. They are succinct expressions that represent not only ideology but also the campaign's direction, and are used to harness the collective voice of the people attending a public meeting, to help them identify with each other and the issue. Slogans are also easy to remember, and effective communication tools. They can spread across the country and be used all over—on banners and posters,

Sushila has only passed class four, but that does not have anything to do with her intelligence. When she represented the MKSS in a meeting in Delhi she was asked, "Why do you want the right to see government records?" Her sharp, succinct reply was, "when I send my son with 10 rupees to the market, I ask for accounts. Government spends crores of rupees in my name, don't I have the right to see those records? It is our money, it is therefore our accounts, 'hamara paisa, hamara hisab'."—
MKSS Journal

¹³ Within the MKSS, and almost from its inception, no issue is taken up without an internal debate by the MKSS members on the Central Committee. This Committee is comprised of all full-time workers as well as supporters and MKSS members who have long been associated with the organization and its struggle, and who belong to the villages of the surrounding region where the Sangathan works. There are approximately 30 members of the Central Committee. No decision is taken without it being discussed thoroughly by the members. The Committee meets once a month, and sometimes these meetings have lasted for more than a day to allow issues of concern to be discussed. No decision is taken in a hurry. This democratic process is one of the strengths of the MKSS, because everyone gets to voice their opinion and the responsibility of the decision lies on the shoulders of the collective as opposed to any one individual. This process of collective decision-making has also brought about most of the historic changes in the legislation of the country.

¹⁴ A playwright and theatre person, she teaches in the National School for Drama (Delhi). She is a specialist in Street Theatre and has been a staunch supporter of the RTI movement. She has also been a guru to communicators in the development field, and has trained many of the MKSS members in their communication skills.

in marches. A silent march might attract onlookers, but would provide no information. Through slogans, the message is conveyed and the voices of many are united.

Initially, it is not easy to shout slogans because one is embarrassed and wonders what others might think, but eventually people get over any such inhibitions. In addition, slogans can be a good way to get the attention of a huge group of people at meetings. The eight words of "The Right to Know, the Right to Live," for example, summarize what might otherwise take half an hour to explain. The slogan captures the spirit of the people.

Slogans coined by members of the MKSS include:

- **Hum Janenge, Hum Jiyenge:** The Right to Know, the Right to Live
- **Hamara Paisa, Hamara Hisab:** Our Money, Our Accounts
- **Yeh "paise" hamare aapki, nahin kisi ke baap ki:** This money belongs to you and me; it is no man's personal property (Note: In this slogan the word in quotes can be replaced with anything ranging from money, the government, land, food, water, grains, etc.)
- **Is desh ki janta maang rahi hai paise paise ka hisaab:** The people of this country demand an account of every penny spent

TRUCK YATRA, OR TRUCK JOURNEY

The "Truck Yatra," was also an ironic comment on the many grand political *yatras* (journeys), organized just before elections, or to incite communal passion. Political *yatras* are deeply embedded in the Indian culture. Walking for a purpose is an act given great sanctity and is also seen as a sign of commitment. As with Gandhi's salt march, for example, it has been seen as a means of reaching out to people. The *yatras* MKSS organizes are not intended to be a one-way process. Rather, one learns from people and takes suggestions along the way, especially when one is in the search of answers to questions that might not have ready-made solutions. We have found *yatras* to be an effective method of discovering new approaches or rediscovering those that have been used in the past but forgotten. *Yatras* are also a great way to mobilize people to join the movement.

While the most effective mode has been the *padayatra* (foot march) from village to village, we have used a truck *yatra* to cover greater distance in a shorter time frame. Like Gandhiji's train *yatra*, through which he discovered India, a truck *yatra* is used to reach out farther. Trucks remain the cheapest mode of transport for the poor in rural India, and we in the MKSS always hitch rides in trucks because it is so much cheaper. Our *yatras* are in contrast to those commonly employed by politicians, with the air-conditioned vehicles they use for canvassing during elections. The MKSS used the truck *yatra* to canvass for the RTI Act and to create a space for larger public opinion and debate on the issue of transparency, accountability and ethics in governance.

The MKSS used an ordinary truck. Forty campaigners piled in and went from place to place to talk about



The truck that was our home for a fortnight while we traveled from town to town.

the RTI. Many such *yatras* have been organized; one of them took the draft bill to the different Divisional Headquarters of the State. *Dharnas* lasting for one to three days were staged in each of these places. The *ghotala rath* was carried along and used to draw attention to the issue. *Khazana* was staged at street corners and meetings held. Because in-depth discussions regarding the draft bill could not be held at these street corner meetings, we also held meetings with interested groups and public meetings with special groups (<http://www.righttofoodindia.org/data/truckyatra.pdf>).

An intermediate success

The combination of all of these tactics ultimately led to success in the state of Rajasthan. In 1998, during the State elections, the Opposition Party in Rajasthan promised in its election manifesto to enact a law on right to information if it came to power. The elected government came to power in 1999, and was met with a demand to fulfill its electoral promise of an RTI law. Following the election, the Party appointed a committee of bureaucrats, headed by Mr. P.N. Bhandari, a Secretary of the Rajasthan Government, to draft a bill on the right to information. When the Government Committee of Secretaries sat down to make the law, they recommended that administrative orders would suffice and that a law was not necessary. There was loud protest both at the back tracking about the law and at the committee's lack of transparency. The government reluctantly opened up the proceedings and included public consultation to discuss the draft. It invited groups to interact. When the MKSS team went in, they were received as all bedraggled activists are, with contempt. But two hours later, after documents were laid out and discussed, and after the secretaries discussed things amongst themselves, they said, surprisingly enough: "You have more experience than we do. Why don't you prepare the first draft."

MKSS and the National Campaign for People's Right to Information (NCPRI) conducted a host of consultations in each divisional headquarters of the State. Drawing

“Of greatest significance in this struggle has been the growing understanding even among the non-literate people that this right is critical to their other livelihood entitlements. The struggle has illustrated that the Right to Information is not only a component of our Right to Freedom of Speech and Expression but is also a part of our fundamental right under Article 21 of the Constitution – the Right to Life and Liberty. The villagers of central Rajasthan have understood, and have made a large section of enlightened opinion in the country understand, that access to records of development work in villages would help in obtaining the minimum wage, the entitlement under the ration quota and the medicines the poor should receive in public health centers. It would also help in preventing abuse by the police, and even in preventing delay and subterfuge in implementation of other livelihood entitlements.

It is this perspective that led to the issue becoming a part of the mainstream political debate in Rajasthan, and led to the passage first of Right to Information provisions in the State Panchayati Raj Act and then of a State Right to Information Act. It is another story, though, that the Rajasthan RTI Act falls well short of the expectations of the people on several counts. And even this pales before the more dramatic lessons when it comes to the implementation of the Right to Information provisions in Rajasthan. It is clear to those who have tried to use the legal entitlement that bureaucratic opposition to it is strong and entrenched. Unless there is a very strong enactment leaving no loopholes, it will become just another provision adorning the statute but of little value to the citizens.”

Neelabh Misra (RTI Discourse in India. Associated with the campaign since 1996, Neelabh Misra is currently Deputy Editor, Outlook Hindi, erstwhile special correspondent News Time, and author of a Mimeograph on RTI for the United Nations Development Programme (UNDP))

on the input from these consultations, a draft civil society Right to Information Bill was prepared, which was then submitted to the Committee. The Committee drew on the citizens draft Bill for its recommendations, but refused to accept the Bill in total.

The Rajasthan Right to Information Act 2000¹⁵ was eventually passed on 11 May 2000, but only came into force on 26 January 2001—after the rules were framed. The Act in its final form retained many of the suggestions of the RTI movement, but diluted others. Activists in the state have stated that it is stronger than some state Acts, like Tamil Nadu, but lags behind those of Goa, Karnataka, and Delhi.

An evolving strategy: advocacy and the law

Over the years, the MKSS has initiated many creative tactics to engage citizens in a movement for the Right to Information. Our strategy to engage and mobilize

at the grassroots level provided us with legitimacy and strength to carry the movement forward. As that movement grew, and when we had seen success at the state level, it became clear to us that we needed to incorporate an additional strategy—to advocate for legislation at the national level.

This was a crucial process¹⁶, because the law was then owned by people. This involvement with lawmaking fundamentally sustained people's participation in the many battles with government to prevent the dilution of the law.” (MKSS Journal)

NATIONAL CAMPAIGN FOR PEOPLE'S RIGHT TO INFORMATION

The grassroots political struggle defined and spearheaded the RTI campaign. We needed to make the leap from a specific local struggle to a law, an entitlement. In Rajasthan the MKSS had worked to have the Panchayat Act amended. What about the rest of India? To make the transition from the specific to the universal required that the idiom, mode, and involvement of the campaign become wider. The need for lawyers, draftspersons, legal assistance, media, and other groups became important.

Most important of all, the campaign also realized that there was a need for an entitlement to set aside the Official Secrets Act

1923, which continued to be in force even after India obtained independence in 1947. Each successive Indian government found the law useful in suppressing efforts at transparency.

This process gave an opportunity to progressive and committed people in other parts of India and other paradigms to come together to form the “National Campaign for

Peoples' Right to Information.” (NCPRI). The first effort to draft the law was made, ironically, at the Lal Bahadur Shastri National Institute for Administration, the training school for the bureaucrats. The effort to take the drafting process further was spearheaded by the Press Council of India, headed by an ex-justice of the Supreme Court, Justice P.B. Savant. The birth of the

Kheema Ram has passed the 8th class and would not even merit a job as a chaprasi in the government today. But he has the mind of a skilled lawyer. He fought his first battle to access the information about illegal licenses for alcohol shops in 1993. Since then officials are in some ways more afraid of him than any one else in the MKSS, because his knowledge and use of the law is phenomenal. He knows where to look, and what to find. He is fearless, his instincts are of a detective, and with a sharp understanding of the law he is a force to reckon with.

– MKSS Journal

¹⁵ http://www.humanrightsinitiative.org/programs/ai/rti/india/legislation/rajasthan_rti_act.pdf

¹⁶ This process was used by the MKSS for both the Rajasthan State RTI Law and the National Law.

NCPRI took the campaign into the arena of advocacy and framing of law. The bill, known as the Press Council Draft, was sent to the *Lok Sabha* (Parliament) members and all the State Governments for consideration.

The lawmakers and the grassroots struggle continued to dialogue in an innovative and creative manner. The law could not be drafted by the struggling people, but there was an implicit understanding that they were the users of the law, and therefore needed to be involved in the making of it. The momentum and energy also came from the people. The MKSS campaign used the *dharna* and the street corner meeting to take the law to the people and get their feedback.

In every town, the campaigners also met special groups, lawyers, academics, and others interested in the issue of transparency and corruption. The draft bill was discussed in detail and many amendments made to the provisions. It was then handed to the specialist groups, who put it together in the legal framework required for legislation.

The United Progressive Alliance (UPA) government¹⁷ developed a National Advisory Council to acquire the views of political and social activists, economists, researchers, and other public figures on various aspects of governance. We participated in limited engagement with this body and other government officials to further the RTI Act.

The MKSS met with the administration, first appealing for information, then demanding greater transparency and accountability when we were turned down. We requested reasons for not having access to government records and files, and asked sympathetic people within the administration for meetings organized around the issue of the Right to Information. The MKSS also made the Act an election issue, both with the media and with the political parties through the various sit-ins. Members of all parties were met independently with appeals and reasons why the RTI was so important to the common person. In India, representatives of political parties can be met by seeking an appointment, often sought through people with party affiliations. MKSS members met with members of all the political parties, asking if they would take a public stand on the "Right to Information." There was, however, no positive response from them beyond facile platitudes on the issue of battling corruption. Rather, in many cases, it seemed an issue raised only to gain political mileage.

The more the need for an Act was discussed in the public domain the more we found that there were people who had been battling silently and single-handedly in their own areas against corruption of various kinds. For most

of these people, the RTI campaign and the public forum being provided in each town was seen as something they could be a part of. It strengthened their hands, and they also saw it as their own battle. These debates then generated more ideas and greater improvements that could be included into the draft.

"Since the demand for transparency was born out of the MKSS campaign, it is contextualized in the political philosophy of the organization. Both the RTI Act and the Employment Guarantee Act followed a process that involved people in law-making. It was a dialectic where the law kept getting framed and continually referred back for verification and acceptance." (MKSS Journal)

— MKSS Journal

Networking with other movements and groups working on minority rights, issues of displacement due to large development projects, and other problems was also a means of including more and more people in the debate for the National Act. People volunteered time to be part of the sit-ins, the meetings, and the other fora. The very fact that the issue was being continually debated on public forums and people's ideas and views sought on the issue made it something everyone felt they owned. Therefore, even today, no one individual or group or organization can claim rights to the success of the campaign. It has been the outcome of the struggle of many, many people, and each one has contributed to it. The success of the movement is owed to the movement itself and the fact that it embraces every single person in its fold who has taken time for it.

While the draft bill kept being taken back to the public domain time and again, the battle pushing for a National Act was on. There was initially a demand for legislation at the *panchayat* level (local bodies of governance), which then led to the demand for a state Act, and was then followed by a demand for a national legislation. Also, the various legislations were continually tested, to see if it was being implemented in the spirit with which it was intended. Any instances of non-implementation were recognized and highlighted so they could be addressed. Mechanisms of implementation were examined, and changes initiated accordingly.

PARTICIPATION IN THE ELECTORAL PROCESS

Transparency became crucially important in the interface between the ruling class and the people. The lack of transparency in local administration stemmed from the corruption in the electoral process. One of the important aspects of the MKSS shift in strategies was our decision to experiment with the use of transparency to cleanse the *Panchayat* election process. Without honest people in office and a system that is transparent and accountable, there could not be any change in the pattern of governance.

In 2000, when *Panchayat* elections were declared, three MKSS members offered to stand. The MKSS, after serious deliberations, set down some non-negotiable ethical standards, and made them public. These included a manifesto, which the MKSS candidate had to draft according to MKSS transparency and accountability norms, and a ceiling on campaign expenditures. Two of

¹⁷ The UPA government came to national power in India in 2004.

the three MKSS candidates won the elections, and in their tenure of five years were able to take the campaign further in understanding both the limitations and the extent to which the system could be used. One reason that the institutional social audit, patterned on the *jan sunwais*, became a part of law in the State of Rajasthan has been their presence within the system, enabling the MKSS to understand the potential from within.

In January 2000, as part of their campaigning, MKSS candidates who contested in the *Panchayat* election for *Sarpanch* took a novel step by releasing a manifesto promising a transparent and accountable *Panchayat*. This was something none of the other candidates had thought of doing. The MKSS manifesto, one side of a page with bullet-points in red ink, invited voters "to put the *Panchayats'* powers in the peoples' hands."

The manifesto declared that the *Panchayat* would:

- pay full minimum-wages for its work
- open all of its for scrutiny to the people under the Right to Information Act
- hold regular *Ward Sabha* and *Gram Sabha* (village assembly) meetings to consult the people on all the *Panchayat's* activities, and
- keep election expenditures to a minimum (MKSS put a cap of Rs 1,000).

Strategic impact

The Right to Information (RTI) Act was passed, and has been in place since 2005. The UPA government's promise, made in the National Common Minimum Programme, of a better RTI law was tabled and passed by parliament in 2005. But, to their credit, this time round the government fulfilled its promise on the right to information, and with the creation of the National Advisory Council, the dialectic between public consultation and policy became sharper and clearer.

This has not, however, taken away the bureaucratic desire to keep government processes under wrap. The law was passed despite the bureaucracy. The political will that ensured compliance will be a mystery that history will resolve. For the present, the RTI law gives the leverage to seriously question and stop the government from rolling on without control. It is a small but powerful tool.

The system has hit back with non-compliance and blatant violations of provisions of the Act. Nevertheless,

"All debates on transparency and accountability could not be completed without coming back to the electoral process. When we had a consultation in Jaipur in 2003 with the Vigilance Commissioner to the Government of India, Ashok Gehlot, Chief Minister at that time made a candid statement about the necessity of making party funds transparent. A newly elected woman Sarpanch in 2000 made another candid statement in Bagmal, Asan panchayat, Ajmer District about how if she did not embezzle the development funds that came to her Panchayat, she could not recover from her indebtedness, from mortgage and loans for contesting the elections. Somewhere in this whole paradigm, the way people win elections determines an important part of the foundation of governance."

– MKSS Journal

the Act has empowered the citizenry to continually demand transparency and accountability from the system in an informed and organized manner. Most importantly, it has drawn the apathetic into the business of democratic questioning that enforces accountability. When the *chai wallah* (tea vendor) asked to see the log book of a District Collector, the latter called the campaign office in Delhi to ask whether he really needed to inform the applicant. The answer was, yes, he had to. The RTI is a leveler that our system needs. As far as the Act is concerned, there is no doubt at all that a great change is seeping into governance patterns. It is clear that we have the right to question and that we also have the right to get a response from those people who are there to serve us. There are, however, many issues and challenges that we still face today.

The positives are:

- There is a penalty clause in the Act, which can be invoked if information is not provided on time or if false information is provided.
- The highest number of applications being made (as stated by the Chief Information Commissioner) are by serving officers who want to know details of postings / transfers / empanelments, etc.
- There is a new culture being introduced in the area of governance. Officials now think ten times before doing something that is wrong for fear that the file might be accessed under the Right to Information Act in the future.

"Candidates who won from the nearby Panchayats spent up to Rs 100,000 each. They slaughtered goats, distributed alcohol. 'They will recover their money from development funds. They will recover four times the amount they spend,' Tej Singh (Teju) said, outlining the cycle of corruption that starts at the lowest level of the electoral process.

The MKSS candidates Narayan Singh (Panchayat Kushalpura) and Tej Singh (Panchayat Todgarh) won the elections, against all expectations, setting a standard with an expenditure of Rs. 860 in Todgarh and Rs.1,600 in Kushalpura, whereas their opponents spent around 40,000 and 100,000 Rupees, respectively, on their campaigns. (Interview with Narayan Singh – Sarpanch Kushalpura, Tej Singh-Sarpanch Todgarh- in 2004). – MKSS Journal

- Through the media and civil society groups there have been many campaigns that have used the RTI as an effective anti-bribery, anti-corruption tool.
- Increasingly, state governments are using this Act to try to promote accountability and transparency in their welfare schemes.

The negatives are:

- The suo moto disclosures that are mandated by the Act, through Section 4, have not yet been put into place in their entirety; and this has been an uphill task.
- The Chief Information Commission, as well as the State Information Commissions, are full of erstwhile bureaucrats. This has been seen as the major pitfall as well as drawback for any appeal mechanism, as they are not very favourable in their approach and are reluctant to impose the penalty clause.
- The biggest challenge remains the issue of “file notings,” a continuing battle between the public and the civil servant. While the Act says it is mandatory to show “file notings” (e.g., the decisions taken, who took them, and what the comments were), the administration has tried to bring in an amendment. This faced huge protests and widespread resistance from all quarters in 2007. While the issue is still alive and the civil service is trying different ways to try and subterfuge it, a vigilant public will oppose it vehemently at every step.

In addition to the success of the act itself, we have continued to use similar tactics and strategies to further the other work and wage issues that began our campaign. Our movement, for example, successfully advocated for a National Rural Employment Guarantee Act (NREGA), which was passed in 2005. Among other benefits, the NREGA provides that anyone willing to do unskilled manual labour at the statutory minimum wage is guaranteed a minimum of 100 days of employment annually.

Lessons learned

Over the years of our struggle for the right to information, we have learned many lessons about effective ways to mobilize and empower people and to advocate for change in India. While your human rights issue and context may be very different from ours, much of what we have learned may be applicable to your struggles. I have outlined a few of the features of our movement that we think have contributed to our successes:

USING GOVERNMENT’S OWN CONTRADICTIONS TO EMPOWER PEOPLE AND PROMOTE DEMOCRACY

One of the most powerful tools we have as human rights activists in India is actually the government’s own statements and commitments. We have been able to effectively use these expressions of hypocrisy to develop creative methods for demanding accountability.

For instance, electoral promises, and their translation into the system of governance, are held to be sacred. So

In India we have a working democracy. We go to the polls every year and though we complain about the malaise in the voting pattern, we are very sure that we want a democracy. Similarly, in spite of amending the Constitution so many times, we want Constitutional provisions and propriety maintained. The Constitution we gave ourselves did enshrine principles of equality and justice, and the Chapter on fundamental rights has often bailed people out of impossible situations violating human and other rights. Those who govern us take their oath on the Constitution and are therefore bound by it. This empowers people to invoke the articles and take recourse to appeals in the High Court and the Supreme Court. It also questions the indifference of the State to gross violations of the rule of law.

What happened in the case of the RTI campaign was that the demands for the implementation of the Constitution and the law seemed to flow from a demand for democratic accountability. This was in addition to the demand related to the transparency of accounts and the implementation of projects and programmes meant for the poor. If a Sarpanch has to keep his promise, so must the Chief Minister. Therefore the insistence that there should be compliance with the promises made in the assembly by an elected leader, the Chief Minister, is common sense.

Late Prime Minister Rajiv Gandhi had made a public statement that only 15 out of 100 paise in a rupee spent reaches the poor. There is persistent harping on honesty and a clean administration. To eradicate corruption we needed to know how our government functioned, we wanted our hisab (accounts). That is why the slogan “Hamara Paisa, Hamara Hisab.” That corruption occurred because of opaqueness was common knowledge. The RTI campaign worked out a practical methodology to convert transparency and accountability into usable tools.

– MKSS Journal

it was that the promise of a law by the Congress Party in Rajasthan in 2000 was seen as sacrosanct. Subsequent demands for the passage of an RTI law in the State were strengthened by holding the leaders to this electoral promise.

IDENTIFYING CULTURAL RESOURCES

Another reason for our successes is the use of local cultural resources, such as song, theatre, and national cultural and political practices like the *yatras*, to engage local people in dialogue. Effective communication is critical to a successful grassroots campaign. Through the use of these resources, we are able to make a direct, symbolic link between the root of the human rights problem we are trying to address and the local population’s experience with related abuses.

I encourage you to identify symbolic, fun, and creative tactics to keep activists and citizens energized. Sometimes, it can take a long time to reach a successful outcome,

whether during sit-ins or mass mobilization efforts. The use of humor and visually appealing tactics can maintain your enthusiasm and that of other participants in your efforts.

LIVING BY THE IDEALS YOU ARE PROMOTING

We live humbly in the communities we serve. This provides us with the legitimacy and support we need to carry our movement forward. We accept no institutional funds, Indian or foreign. The MKSS depends on mass-based support. There are only fifteen full time workers, mostly from the area, who earn an honorarium of Rs.73 (\$1.50) per day; this is based on the statutory Minimum Wage paid to unskilled labourers in Rajasthan.

As you have read in the case of the *dharnas* we organized, this approach also resulted in the participation of local people who help our organization with food, financial support, and other donations of time and energy. It has increased local citizens' investment and pride in our campaign.

We also ensure that our decision-making processes and the strategies we choose reflect a democratic, participatory, and transparent approach.

FOCUS ON REAL NEEDS

Our strategies always emanate from the real daily struggles and needs of local communities who deal with poverty and disempowerment and who are deeply affected by the results of widespread corruption and lack of transparency. By connecting these broader political issues to their everyday impact on our communities, we've been able to gain the support and active participation of thousands of citizens in Rajasthan and elsewhere.

IDENTIFY KEY ALLIES

Throughout our efforts we have identified and involved a number of key allies. These included media, judges, well-known activists, and technical specialists such as engineers. By providing ways for people at all levels of Indian society to be involved, we have been able to increase the credibility of our movement, and apply different forms of pressure on the government.

Some of the ways in which we were able to involve these groups include:

- Media-friendly communication tactics: developing visually appealing and fun tactics that the media enjoyed covering.
- Identifying sites for our *dharnas* that were centrally located so different sectors of society would be exposed to the campaign and its underlying issues.
- Combining protest with dialogue, so we were able to meet quietly with government officials and others who might support our efforts.
- Ensuring credible documentation of the issue, which allowed technical specialists such as engineers to

The struggle for livelihood and survival began the process. But the right to know was rooted in the struggle against continuing poverty, lack of access to essential services, and therefore denial of many survival needs. The evolution of the entire campaign, the shaping of it, was therefore with poor people. Their COGNITIVE CONTRIBUTIONS ensured that their priorities would be the primary focus. That is why the concept spread so rapidly to other parts of Rajasthan and the rest of India, and had an impact on the larger, so-called civil society. As a result there was a more organic acceptance of the need for this law.

“The larger issue was about democracy. It is a political system in which numbers matter; we cast a vote once every 5 years in India. We are wooed and pestered for a month or two before every general election. We become kin of the person standing for election; caste, religion and every emotive argument is used. After that there is indifference and alienation with the elected representative. The people are then out in the cold begging for rights. A peculiar contradiction. We must understand the true potential of that vote and make it work for us.”

– Shankar

participate in assessments of development projects under suspicion of corruption.

FLEXIBILITY: SEIZING OPPORTUNITIES

The Right to Information campaign in Rajasthan came about because we understood that the ways we had been struggling for wage and work justice were no longer effective, and were not addressing the underlying problems with corruption and a lack of participation in the political process. When we had a few opportunities to see discrepancies in records related to labor rolls and development programs, we were able to shift our approach to expose corruption and pressure for change. Our movement grew because we realized at that moment that our strategy, and the tactics we were using to further our strategy, needed to change.

We have also tried to take advantage of moments when our message will be particularly strong. Many of our tactics have resulted from key moments when we had an opportunity to use a new creative approach. When the timing was right, due to an upcoming election, a visit by an important official, or a commemoration, we employed our tactics in ways that had the maximum impact. For example, we were able to bring attention to the secret documents act during India's Golden Jubilee: focusing attention on one of the remaining legacies of colonial rule as a way to advocate for repeal of legislation that kept information from the people. We organized the first *Ghotala Rath Yatra* to highlight hypocrisy among politicians during a similar *yatra* by a prominent government official. And, of course, we have used the election cycle to re-focus attention on commitments to the poor that have not been realized.

Right to Know, Right to Live: Building a campaign for the right to information and accountability

Conclusion

While people struggle to shape a more meaningful and accountable democratic framework for themselves, vital decisions concerning people's lives and livelihoods are being usurped by distant supranational bodies—like the World Bank, the International Monetary Fund (IMF), and the World Trade Organization (WTO)—whose jurisdiction lies beyond the scope of national governments. The challenge before movements for democratic rights will be to find ways to counter these more powerful forms of control in order to ensure peoples' rights. This process will also have to begin with simple and straightforward questions which unmask the web of exploitative relationships. With increasing concentration of economic and political power, information in the hands of ordinary people is an important tool that can help break these illegitimate centers of power. National governments must be held accountable to work with the people's mandate. Links with the world outside simply cannot derail the peoples' right to live, to know, and decide on matters that affect their lives. With increasing militarisation around the world, and with the frequent fundamentalist postures of leaders, it is imperative that citizens of every country know what is being done in their name.

Ten years after the 1997 *dharna* for an RTI Act in Rajasthan, the controversial muster roll, once shrouded in mystery and used as a tool for corruption, has now become a public document that anyone can see. Acts like the National Rural Employment Guarantee Act (NREGA) mandate their public display. The same bureaucracy that insisted such documents were beyond the purview of public display is now busy ensuring that muster rolls are prominently displayed wherever there are public works. The mate or overseer is now obliged to keep and show records. The information revolution has borne fruit for the people.¹⁸

Following the legislation of the State Acts and several related struggles, the campaign has gone far beyond the *Panchayat*, and there are a huge number of areas in which information is being accessed. The intricate economic decisions of privatization or Special Export Zones (SEZs), genetically modified foods, correspondence between President and Prime Minister, the right to see answer papers, cut off marks of the Central Civil Services Exams, and a plethora of other issues have now come under the purview of the Right to Information campaigns in India.

The campaigns have also maintained this dialectic between national decisions and people's perceptions. This is the strength of all actions—whether protest, legal drafting, policy, or political demands—to have retained their touch with the real India.

The denial of the right to information, taken to its logical conclusion, implies the denial of the right to make informed decisions. We need to start exercising our rights. The stakes are too high; it is a question of our lives, indeed of life itself.

¹⁸ "Challenging Corruption with Social Audits", by Karuna Vakati Aakella and Sowmya Kidambi, *Economic and Political Weekly*, February 2, 2007. Source: <http://www.epw.org.in/epw/uploads/articles/10222.pdf>.

Appendix 1: Background on Governance in India

Explanation of Panchayati Raj

In India, governance has multiple layers. The Central Government makes decisions on all major issues related to administration at the national level. It is headed by the Prime Minister and the Cabinet, who are Members of Parliament (Lok Sabha). The country has 28 states and seven Union Territories. Each state has a legislative Assembly and State Governments, which look at governance issues headed by the Chief Minister of the state and the cabinet. With the states so large, it was felt that a further dissolution of power was required, so the constitutional body of Panchayati Raj—a democratically elected and decentralized unit of rural self-government—was created to enable participation of the people, particularly weaker sections of the society, in decision-making and local self-management. It is a people's institution embedded in the social, economic, and cultural milieu, and operates through a three-tier structure at the district, block, and village level.

Salient features of Panchayati Raj

- Using a democratic framework, it enables people's participation in decision-making and in the planning and implementation of development programmes. It increases and strengthens the representation system in the democratic polity.
- It provides autonomy in decision making for self-governance and the management of local affairs.
- It provides for the shouldering and discharging of responsibilities at the local level.
- It facilitates a formal means of communication among all stakeholders and disseminates information across all levels. It also enables villagers to have easy access to the units of governance. It strengthens and provides better delivery of services to the people.
- It provides a training ground to acquire the art and skills of management to address developmental needs.
- It aims at empowerment, particularly of the weaker sections of the society.

Features of 73rd Constitution Amendment

The 73rd Constitution Amendment has the following mandated provisions:

- Establishment of a three-tier structure that includes the district, block, and village levels.
- Establishment of Gram Sabha at the village level.
- Reservation for Scheduled Castes, Scheduled Tribes, and women as members and Chairpersons of these bodies at all levels.
- A five-year term for every panchayat. In case of dissolution on specific ground, it must be reconstituted before six months.
- Powers to levy, collect, and appropriate suitable local taxes and raise resources.
- State Finance Commissions constituted every five years to review and recommend the pattern of distribution of funds to Panchayati Raj Institutions.
- State Election Commission constituted for supervision and conducting of elections to these bodies.
- Preparation and implementation of plans for economic development and social justice.

Appendix 2: Key Definitions and Terms

Block Development Officer – officer responsible for planning and implementing development projects

Caste – Hindu Hereditary class with the members socially equal, united in religion, usually sharing the same traits, and having no social intercourse with other castes

Chabuthra – platform built outside the house for people to sit on

Chief Minister (CM) –elected head of State

CID (Central Intelligence Department) or Internal intelligence –a permanent guest at all activist functions, reporting on activities. Seldom seen where graft is taken or big evasions or deals are settled!

Dharna – sit-in or picketing

Ghagra paltan – Skirt Platoon

Gram Sabha – body comprised of local registered voters from a village

Gram Sewak – secretary to the Sarpanch, the elected representative who heads the Panchayat or village council

Jan Sunwai – public hearing

Mazdoor Kisan Shakti Sangathan – Union for the Empowerment of Peasants and Labourers

Measurement Book –book maintained by an engineer to record the measurement of the work done, the specifications, and the materials used; is signed by the Junior Engineer and the local administration as a proof of work done

Minimum Wage – a living wage fixed by the government through suitable legislation, economic organisation, or in any other way, to give all workers—agricultural, industrial, or otherwise—a decent standard of life and full enjoyment of leisure and of social and cultural opportunities.

Muster Roll –labour lists, very important for identifying workers, quantum of work, attendance, rate of work, wages assessed, and claims for government financial sanctions for recovery.

Neta – elected representative

Panchayat – village council

Panchayati Raj –a people’s institution embedded in the social, economic, and cultural milieu; operates through a three-tier structure at the district, block, and village level [see Appendix A]

Patwari – lowest revenue official at the village level; collects dues from people, is the keeper of many government records, and is almost always the most influential and therefore the most feared of government officials

Roti / Kapda / Makaan – food / clothing / housing

Sangathan – union

Sarpanch – elected representative who is the head of the Panchayat; has a term of five years

Satta – a complicated and popular betting game played extensively in India, often with very high stakes sometimes, and including cricket matches, elections, and so on

Social Audit or People’s Audit – complements and supports a financial audit. Most of the disclosures on defalcations and graft followed the financial audit. In Rajasthan the government has passed a statute requiring a social audit to be conducted in ward sabhas (meetings) in the Panchayats.

Sub-divisional Magistrate (SDM) – in Indian administrative patterns, head officials at the sub-district level; called SDMs or SDOs. Each state in India is divided into administrative districts, and often further divided into sub-districts.

Yatra – Journey

