Project Document

SUCHANA

Support to Championing National Capacity for Right to Information in Nepal II

15 March 2016 – 31 December 2018

Submitted to:
Governance Facility
Kathmandu, Nepal

Submitted by:

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ACRONYMNS

AFO	Administration and finance Officer
AMC	Annual maintenance Charge
CSO	Civil society organization
DDC	District development committee
DFID	UK Government's Department for International Development
ESP	Enabling State Program
FO	Financial officer
FT	Full time
GF	Governance Facility
GoN	Government of Nepal
Govt	Government
HR	Human resources
IEC	Information education and communication
ITS	Information technology specialist
M&E	Monitoring & evaluation
MECS	M&E and communication specialist
MIS	Management information system
MOGA	Ministry of General Administration
MOIC	Ministry of Information and Communication Technology
NASC	Nepal Administrative Staff College
NGO	Non-governmental organization
NIC	National Information Commission
NPD	National Project Director
NRs	Nepalese rupees
OP	Output
OPMCM	Office of the Prime Minister and Council of Minister
PA	Program assistant
PDMS	Proactive Disclosure Management System
PIC	Project Implementation Coordinator
PIO	Public information officer
PM	Project manager
PMIT	Project management and implementation team
SPMEO	Senior Program & ME Officer
PRO	Project officer
PSA	Public service announcements
PT	Part time
RCA	Regional Contact Assistant
RCO	Regional Contact Officer
RMC	Research, Monitoring and Communication Specialist
RTI	Right to information
RTIS	RTI Specialist
SAPI	Senior Strategic Action Plan Implementation Adviser
VDC	Village development committee

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Summary

Project title	**SUCHANA: Support to Championing National Capacity for Rights to Information in Nepal**
Implementing agency	National Information Commission (NIC)
Project impact	Public agencies are fair, transparent and accountable to citizens resulting in good governance in the civil administration of Nepal
Project outcome	Public bodies meet citizen's demand for information on time and practice proactive disclosure.
Project outputs	▪ Output 1: National Information Commission's capacity to protect and promote RTI is further developed ▪ Output 2: Supply side is strengthened to discharge their duty towards RTI of Citizen ▪ Output 3: Citizens are empowered to exercise RTI
Key activities	▪ Institutionalizing NIC's policies and system ▪ Review and advocate for legislative reforms based on international standards and best practices ▪ Capacity development of NIC Commissioners and staffs ▪ Monitoring implementation of RTI Act ▪ Internship program ▪ Development and updating MIS system, Proactive Disclosure Management System, Document Management System and website ▪ Mass awareness through TV, radio and IEC materials ▪ Capacity building of PIOs, government officials and local representatives ▪ National RTI conventions ▪ Research based initiatives on RTI ▪ Interaction programs with key RTI stakeholders (media persons, CSO members, RTI activists, political parties, judiciary and government office heads/officials) ▪ Trainings for media ▪ School curriculum development
Primary target beneficiaries	Selected public bodies, government officials, media, CSOs and citizens
Project coverage	33 districts
Project period	15 March 2016 – 31 December 2018
Total expected funding	NRs. ***81,532,644***

1.0 ORGANIZATIONAL INFORMATION

1.01 Background

Nepal is the first country in South Asia to have formal constitutional recognition of the Right to Information (RTI) as a fundamental right.[1] However, the country adopted an RTI Act only in 2007; and became the third country in South Asia, after Pakistan (2002) and India (2005) to adopt such a law. The RTI Act was the outcome of one and a half decade of RTI movement led by the media community and civil society organizations (CSOs) and subsequent government commitment and response after the success of people's movement-II in 2006.

RTI was recognized in Article 27 of the Interim Constitution of Nepal, 2007. Nevertheless, Nepal took a significant step by adopting RTI Act (2007) and formulating RTI Regulations (2009) along with the establishment of the National Information Commission (NIC) in 2008. The NIC is an independent statutory body established in accordance with the RTI Act (2007) on May 2008 which oversees the implementation of RTI Act. It protects, promotes and executes the RTI of Nepalese citizens in Nepal.

The major objectives of the RTI Act, 2007 are to:

- Make the functions of the state open and transparent in accordance with democratic system;
- Enable state institutions to be responsible and accountable to the citizens;
- Protect information that are sensitive to the state and society;
- Increase the access of citizens to the information held in public bodies in a simple and easy way; and
- Promote, protect and enforce RTI.

The Constitution of Nepal (2015) has guaranteed that "Every citizen shall have the right to demand or obtain information on any matters of his/her own or of public importance; but no one will be compelled to provide information on any matter about which secrecy is to be maintained by law". Therefore, the public bodies can provide only limited information that is not considered as secret by another law. The RTI Act under Section 3(3) has restricted certain type of information to be released, such as:

- Information which seriously jeopardizes the sovereignty, integrity, national security, public peace, stability and international relations of Nepal;
- Information which directly affects the investigation, inquiry and prosecution of crimes;
- Information having serious impact in the protection of economic, trade or monetary interest or intellectual property or banking or trade privacy;
- Information that jeopardizes the harmonious relationship among various caste or communities; and
- Information that interferes on individual privacy and security of body, life, property or health of a person.

Though the right has been guaranteed both by the constitution and the law, its implementation has so far been weak. The public bodies have done little to meet their obligations under the law. The most essential first obligation for public bodies is to appoint Public Information Officer

[1] RTI provisioned in the Article 16 of the Constitution of the Kingdom of Nepal, 1990

(PIO) and designate an information section. So far approximately 2,165 public bodies have appointed PIOs as required by Section 6 of the RTI Act. Similarly, the information, subject to proactive disclosure under the law, largely remains unpublished. Although it has been eight years since the enactment of the law there is a low level of awareness about the existence of the RTI Act and its regulations among the government agencies, CSOs and the general public. There is lack of awareness about the application of procedures to seek information as well as the knowledge of appeal process. As a result the volume of information requests is very negligible.

1.02 Organizational Identity

NIC envisions the creation of an informed society for social development, economic prosperity and good governance through RTI. Its mission is to promote access to information in order to protect individual's fundamental right to information and ensure accountability of public bodies. Its goal is to make public bodies responsive, transparent and accountable to citizens. It envisages accomplishing its vision, mission and goals by: i) facilitating the empowerment of the demand side; ii) strengthening the supply side; and iii) developing its own oversight capacity. The Vision, Mission, Goal and Strategic Priorities are available in the table below.

VISION
Creation of an informed society for social development, economic prosperity, and good governance through RTI
MISSION
To promote access to information in order to protect individual's fundamental right to information and ensure accountability of public bodies
CORE VALUE AND GUIDING PRINCIPAL
We value 'Quality-reliable, accurate & timely information' We promote ' Right to Know' We encourage 'Proper record/documentation/knowledge management'
STRATEGIC GOAL
Make public bodies[2] responsive, transparent and accountable towards citizens
STRATEGIC PRIORITIES
Strategic Priority #1: Empowering the Demand Side Strategic Priority #2 – Strengthening the Supply Side Strategic Priority #3 – Developing the capacity of NIC

NIC's operation is guided by its five years National Strategic Plan of Action (NSPA). The NSPA (2013 – 18) has been recently reviewed and revised to coincide with the tenure of the new team of Commissioners. It was felt that it would be more prudent to match the successive NSPAs with the tenure of Commissioners as this would solicit more ownership of successive team of Commissioners on the NSPA. This timing would also make way for the new set of successive

[2] Public bodies not only include government bodies, but also include non-governmental organizations, political parties and any other body of public importance. These public bodies make up the supply side of RTI. In the current strategic plan, public bodies will imply to government bodies alone, although the RTI Act considers many other actors as public bodies.

Commissioners to review the current NSPA (which would be towards the last six months of its period) at the beginning of their tenure and utilize this review to inform the formulation of the new NSPA. This timing, besides allowing them ample time to implement the NSPA, would also provide opportunities to incorporate their vision and ideas into the new NSPA.

Further, the political and social environment of Nepal has rapidly evolved in the last few months, particularly with a new constitution just promulgated along a federal model. The NSPA needs to take into account these changes. NSAP 2013-2018 had not substantially taken into account the development of an online portal to file petitions through the NIC website. NSAP 2013-2018 also did not envision branch offices of NIC or the implementation of MIS systems in 30 districts. NSAP 2013-2018 did not envisage bilateral or multilateral agreements or Memorandum of Understanding (MoU) with other national information commissions, which the new team of Commissioners anticipates signing in the days to come.

Furthermore, Nepal has been selected as one of the four countries that will participate in the UN Open Governance Data System, a development that will further the digitization and publicizing of data, which may prove to be a cornerstone of NIC's major achievement. The NSAP 2013-2018 did not take into account marginalized groups' specials demand, such as that of gender and disability. Finally, the new team of Commissioners would like to incorporate best practices that they have observed in the exposure visits to several countries, including Bangladesh, Chile, and Canada.

1.03 Institutional Governance

In accordance with the RTI Act, a three-member NIC, comprising the Chief Information Commissioner and two Information Commissioners, was constituted in 2008. Currently the NIC has a team of new Commissioners who took office on January 2015. The team of Commissioners is supported by a team of civil servants (provided by the Ministry of General Administration) led by a secretary - gazetted special class category. In order to fulfill its duties effectively, NIC's organizational structure has five sections, namely: Planning and Promotion Section, Administration Section, Appeal Section, Account Section, and Monitoring Section. NIC follows the government's administrative and financial rules and regulations for its operation.

NIC's operates through its central office located in Kathmandu. Its mandate encompasses all public bodies located in all geographical areas of Nepal. However, NIC presence is limited to the centre and it does not have any local level branch or contact offices. In recent times, NIC has begun monitoring RTI in coordination with Postal Departments in 33 districts.

1.04 Key Stakeholders

The RTI Act defines a wide range of organizations such as political parties and non-governmental organizations (NGOs) as public bodies, in addition to government agencies. The public bodies have a very crucial role to play in the implementation of RTI.

There are mainly three categories of stakeholders of RTI: (i) Information Seekers (demand side), (ii) Information Holders (supply side), and (iii) RTI Promoters/Supporters (facilitators). While

the demand side is not aware of the capacity of the supply side and use of RTI, the supply side, too, seems unaware of the RTI Act and the obligations that RTI places on public bodies. The 'public bodies' represent the supply side, the civil society represents the demand side and the NIC (along with other organisations) are as promoters/supporters of RTI.

The stakeholders have performed different roles in terms of respecting the law. In many cases, mainly the supply side remains simply indifferent. In some cases they have even shown resistance in implementing RTI.

As RTI promoters, there are only a handful of CSOs active in this area. As a result their efforts have not been able to create anticipated impacts in society and the state. These organizations have been involved in raising awareness and organizing capacity development and advocacy campaigns on RTI. They have also contributed to lodge complaints and help citizens to seek information from public bodies.

1.05 NIC's Duties and Functions

NIC's major duties and functions as per the RTI Act are enlisted in the box below.

Core duties and functions

- ✓ Observe and study the records and documents of public importance held in public bodies
- ✓ Order for properly maintaining information records held in public bodies
- ✓ Order concerned public body to make information public for citizen's notification
- ✓ Prescribe timeframe and order concerned public body to provide information demanded by applicants within a timeframe
- ✓ Order concerned parties to fulfill liabilities in accordance with the RTI Act
- ✓ Provide necessary suggestions and recommendations to Government of Nepal (GoN) and other bodies related to information and communication for the protection and promotion of RTI
- ✓ Process appeals against decisions of the head of a public body who refuses to provide information

Other duties and functions

- ✓ Review the records held by public bodies
- ✓ Order public bodies to maintain systematic lists of the information they hold
- ✓ Order public bodies to release information and to take other actions to fulfill their obligations under the law
- ✓ Decide appeals against classification of information by the Classification Committee
- ✓ Decide complaints regarding sanctions against whistleblowers
- ✓ Decide complaints about the misuse of information lodged by public bodies
- ✓ Fine PIOs or the heads of public bodies for unlawfully withholding information and to request departmental action in appropriate cases
- ✓ Fine persons found to have been misusing information
- ✓ Fine persons for failing to obey NIC orders
- ✓ Hear appeals for compensation for harm due to a failure in providing information

2.0 Justification for the Project Intervention

RTI strengthens citizen's ability to access information held by public authorities including all government agencies at national and local levels, NGOs, political parties and any other body of public importance. The inherent scope of RTI indicates that all the information held by public bodies should be subject to disclosure unless there is an overriding public interest justification for non-disclosure. More than 100 countries around the world have now adopted comprehensive RTI laws or national regulations.

This right has been one of the key tools for holding government or public bodies accountable and transparent in order to promote participatory democracy and good governance. It is also considered to be a foundation of democratic practices, as it is used as an indicator for measuring the extent to which democracy, freedom and openness is realized in a country. RTI is also used as a tool to combat corruption and minimize irregularities or misconducts in public bodies as it makes public bodies more accountable towards their citizens.

2.01 Problem Analysis

The project has been designed with the view of making a significant contribution in addressing the problems summarized below:

Current awareness on RTI remains very low

Despite some efforts made by NIC, media and CSOs in raising the level of awareness on RTI among citizens, the current awareness on RTI remains very low. The level of interventions in this direction is grossly inadequate. In the rural area, the awareness level is particularly low. Government public bodies are poorly resourced, and lack downward accountability. Even in the urban areas, the application of RTI has not picked up appreciably. Low interest to exercise RTI among RTI promoter groups (such as journalists, professional groups and CSOs) is one of the major reasons for low demand for RTI.

Low level of benefit to the public at large

RTI related activities have remained confined to a very small segment of Nepalese society, with very little involvement and interaction at the grassroots level. The RTI ‘movement’ lacks the buy-in of the general public at large as the 'movement' has little to showcase in terms of public benefit. So far the public has benefited little from the RTI Act. Without tangible public benefits ensuing from the 'RTI movement', soliciting public faith on RTI on the future success of RTI will not be possible. For example: Many citizens, particularly the poorer sections, have been finding it difficult to claim their entitlements largely due to the fact that they are ignorant of their entitlements. Though the level of awareness has gradually increased due to concerted effort of the government and CSOs, there is still much room for improvement.

Low level of *PIO* empowerment

Despite the growing number of PIO appointments by government public bodies, the challenge is to empower them to effectively discharge their statutory role. Due to impeding factors such as frequent transfers, competing work demands, non-existent support system and low knowledge on RTI Act, PIOs have not been in the desired position to discharge their duties efficiently.

Filing of requests

The RTI Act has made it mandatory for public bodies to supply of information when citizens file a request for information under the RTI Act. Though the onus has now shifted to the 'givers' of information, it will remain of little use if the demand for information is not filed. Thus it is imperative that user friendly request filing process is applied so that it can encompass the concerns of large number of citizens belonging to the marginalized and excluded groups of different geographical regions. It is important that new and suitable 'tools' are found for citizens to request information from different agencies.

Poor Record Management

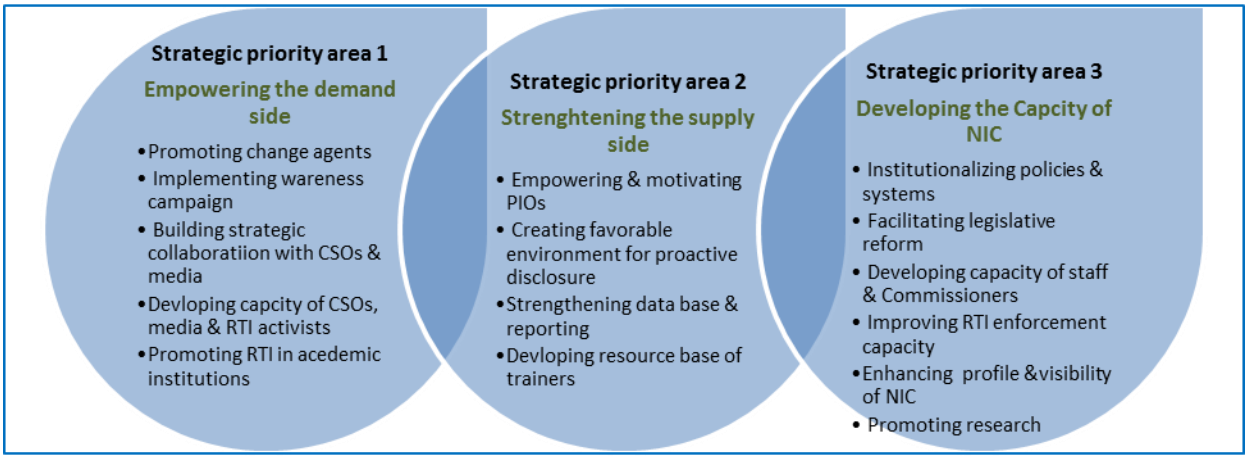
Generally, records management in government public bodies is very weak. The existing system of records management is very traditional and still predominantly undertaken manually despite the introduction of ICT in recent times. However, given the sheer volume of information to be digitized, digitization is likely to be a slow and cumbersome process. As manual data is time consuming, web-based will be more appropriate. Public bodies that have large public interface deserve special attention for digitalization.

2.02 Implementing RTI National Strategic Plan of Action

Improving implementation of RTI in Nepal requires a coordinated and strategic response of the principal actors – the NIC, government, public bodies, media and CSOs. To materialize this, the NIC led the development of a five–year National Strategic Plan of Action on RTI (2013-2018) after a series of consultative processes with the state agencies, CSOs, media and other stakeholders in 2012. The Plan of Action provided, for a first time, a roadmap of interventions for key stakeholders including the NIC and CSOs.

This plan has been revised recently to coincide with the term of the current team of Commissioners, to reflect the changed socio-political context, and to build on the achievements and learning of the past two years of the NSPA (2013 -18) implementation. Implementation of the priority interventions as set out in the new NSPA (2015 – 2020*)* will contribute to increasing demand for information and improving government openness, transparency and responsiveness.

The Plan of Action has identified three strategic priorities with key roles and responsibilities for the principal stakeholders; and has charted out actions for the next five years to improve the state of RTI in practice. The strategic goal of the Plan is to: ***Make public bodies responsive, transparent and accountable towards citizens.*** The three strategic priorities and corresponding objectives are summarized in the box below.



The proposed project contributes to all of the three strategic areas and priority interventions as spelled out in the National Strategic Plan of Action. Activities under the first two priority areas will be led by NIC. The first area will be complemented by CSO and media led initiatives.

2.03 Building on Achievements

Between 2008 and 2012, NIC received less than 300 requests for information, due to lack of awareness among citizens and limited capacity of the Commission. It imposed sanctions in few cases, including the 'case of whistleblower' and undertook monitoring of public bodies to see whether they were meeting their obligations under the Act. Since its establishment, NIC has been working in the areas of training and public outreach. It has conducted numerous training events, awareness campaigns, and public discussion forums by bringing together the demand and supply sides stakeholders.

After the development of the Strategic Plan of Action, NIC implemented a one-year *Improving the Implementation of RTI* project with the support from DFID's Enabling State Programme (ESP) in 2013. Further, the SUCHANA: Support to Championing National Capacity for Right to Information in Nepal, supported by the Governance Facility Nepal, was implemented from July 17, 2014 to 15 September 2015. The project built on the achievement of the ESP supported project, and also further capacitated NIC in the nuance of project implementation.

The SUCHANA project was originally developed as a four years (2014 to 2018) project; but the Governance Facility (GF) and NIC agreed to opt for an interim arrangement by implementing a one year project. Thus, the activities envisaged to be implemented in the first year of the four years project was largely copied to constitute the inception phase of the project. The rationale for this arrangement was to align GF's support to NIC with GF's overall partnership portfolio in its Inception Phase and to also allow it to monitor and assess NIC's capacity and approach to implement the first year activities to inform a decision whether to continue the partnership.

The projects were instrumental in making RTI an area of concern within the government structures as well as among community people in 33 core districts. Following are the key achievements of the projects:

- RTI has been taken as one of the concerned areas by key ministries of the GoN. A nodal agency on RTI has been established at the Office of the Prime Minister and Council of Ministers (OPMCM).
- An integrated RTI management information system (MIS) has been developed and installed at NIC and seven key ministries[3]along with offices under their jurisdiction in 18 districts to ensure systematic documentation of applications and a mechanism to track and monitor the entire process.
- There has been improved capacity of officials in the seven ministries and their local agencies to respond to information requests. The line offices have responded positively to citizens' request for information.
- In addition, 1561 government officials are now more conversant with RTI laws, rules and regulations. Their belief in proactive disclosure has been strengthened; and they are now in a position to make positive difference in their works.
- NIC has better capacity. The projects have made positive contribution to strengthen the NIC and make it competent for promotion and protection of RTI. NIC has more human resources for a smooth functioning of its mandate. The staff members are gaining expertise in case handling and dealing with RTI issues.
- As a result, the number of appeals and their adjudication increased from 12 in 2008 to 260 in 2013. In 2013 alone, 153 appeals were filed of which 65 were disposed. There has been an increase in the number of petitions filed. Of the total 777 cases filed between August 2014 and July 2015, 765 (98.50%) cases have been disposed of. Of the 624 MIS applications, 49.70% of the request received a response.
- Proactive disclosures being undertaken by 7 key line ministries in 20districts and 27 ministries at the central level are testimonies of an outcome level result emanating from the SUCHANA project activities. Every 3 months, these agencies have released information on their websites. They also informed NIC about what information they have publicized proactively.
- Start of systematic monitoring of RTI by Regional Postal Directorate and District Postal Offices has been a right step since NIC does not have its own presence in districts.

The NIC is engaged in facilitating the quick appointment of PIOs and is attempting to make proactive disclosure of information a minimum requirement in order to make public body functions more transparent and open so that access to information is simple and easy for the citizens to obtain. It also started monitoring the implementation of RTI at the central, regional and district levels.

Other achievements of the projects are increased awareness among selected high school students, development and approval of RTI curriculum for students from grade 6 to 10 by Curriculum Development Board, inclusion of RTI as a separate curriculum for class 9 starting from academic session 2016, design of training curriculum that includes RTI for government employees,

[3] The RTI MIS has been established in the line offices of seven ministries that spend 70% of the country's annual budget. The ministries are: the Ministry of Local Development and Federal Affairs, Ministry of Health and Population, Ministry of Education, Ministry of Agricultural Development, Ministry of Urban Development, and Ministry of Infrastructure and Transportation, Ministry of Information & Communication. Five districts are: Dadeldhura, Banke, Parsa, Kaski and Morang.

conduct of TOT program and review of 289 laws that are contradictory to RTI. Also a communications and outreach strategy enabled NIC become more visible, helped effective engagement with policy makers, public bodies, civil society and the general public.

For RTI to achieve its potential, it is critical that the Act be effectively implemented. Systematic and regular use of the RTI Act by various stakeholders will contribute to effective implementation. Through its use, identifying areas of improvement and strengthening the application capacity government officials will be possible. Yet using the RTI Act requires a strong demand side that can navigate the application and appeal processes. This is where the CSOs and the media come in.

The current situation of RTI in Nepal demonstrates a need for combined efforts of the NIC, public bodies and civil society. Capacity building, awareness raising and integration of RTI in demand as well as supply sides along with improving competency of the NIC are equally important in order to improve implementation of the RTI Act. This project takes this importance into consideration.

2.04 Tackling Critical Challenges

The advent of the RTI Act and the subsequent establishment of the NIC created huge expectations from various sections of the civil society. However implementation of RTI initiatives of the NIC and state agencies was impeded by many challenges that need to be addressed. These challenges, among others, include:

i) limited public accountability and transparency within the government sector;
ii) slow process of empowerment among different marginalized and socially excluded groups due to wide gap in the access to information between haves and have-nots, and limited mass awareness;
iii) information gap between citizens and government, and lack of information flow among intra and inter political parties; and
iv) Inadequate practice of evidence based decision making in the public sphere.

A few studies have been done in RTI sector in Nepal. They have identified a number of challenges, both at the policy and implementation levels as well as at the supply and demand sides. A recent study commissioned by ESP identifies following key challenges to be tackled for an effective realization of RTI in Nepal[4]:

- RTI has not been internalised as a cross-cutting issue by different stakeholders, mainly due to the misconception about RTI and the lack of proper knowledge of RTI.
- Commitments have not been demonstrated in actions by public bodies which show that RTI is not a priority of the government and public bodies.
- Lack of qualified human resources, both at the government as well as CSO sides, at the district level to organise RTI related events and to lead awareness and promotional campaigns.
- Record keeping and data management is always important to implement RTI. Lack of proper and adequate data management has hindered access to information in public bodies even though a good practice has been initiated by NIC in seven key ministries.

[4]Kasajoo, Vinay. Dec 2013. 'Right to Information in Nepal: Think Piece'. Kathmandu: Enabling State Programme (ESP)

The recently concluded independent Review on the SUCHANA Project has mentioned the following challenges confronting NIC:

- **Rolling out proactive disclosure:** The practice of proactive disclosure (in line with statutory provisions) is yet to be mainstreamed in many public agencies. Many Public bodies, citing lack of human resources, are hesitant to comply with this provision. A daunting task of facilitating the practice of proactive disclosure in all public agencies, particularly the local level, lies ahead for NIC.
- **PIOs access to information:** Despite the legal provision to nominate second or third ranking official of the organization as the PIO, this provision has often been misinterpreted to mean an official occupying a hierarchal position two or three rungs below the head of the organization. This limits PIOs' stake in the decision making of the organization as well as their access to information. Thus, strengthening the position of the PIOs and ensuring that a high ranking official just below the office head assumes this position is important if PIOs are to efficiently discharge their duty.
- **Empowering the demand side:** The demand for information by RTI activists and community based leaders of the civil society has not increased as anticipated. For public service delivery to improve, it is imperative that downward accountability of service providers need to also improve significantly. This can only happen when RTI activists and community based leaders come forward to claim RTI. It would be overly ambitious if NIC alone is to take up this demanding task of stimulating the demand side. This necessitates a coordinated action plan to strengthen the demand and supply chain of RTI. Since NIC's mandate lies more in strengthening the supply chain, NIC faces a delicate task of promoting its image as well as partnering other government agencies, media and CSOs to strengthen and activate the demand chain.
- **Monitoring RTI compliance:** A major challenge facing NIC is monitoring RTI compliance at the central and district levels. The situation is more challenging at the local level as NIC is bereft of regional/local structure of its own. It is relying on the good office of the Postal Service Department to perform this function at the local level. Capacitating the Postal Service Department to efficiently perform this task is quite challenging.
- **Soliciting irrevocable commitment and support from the government:** Public agencies are still shrouded in a culture of secrecy and RTI is mostly viewed as a compulsion rather than a necessity. Likewise, deputation to the NIC is mostly taken as being side lined by civil servants. The same holds true for PIOs. Thus motivation and commitment level of relevant officials involved is quite low. Likewise, RTI is not priority agenda of the government and political leadership who would like to keep it in the back burner. Tactfully engaging these unresponsive but key actors to solicit their commitment and support to RTI (to amend contradictory laws; mainstream RTI in government plan and budget; grant NIC constitutional status; digitize government information, motivate concerned staff etc.) is a colossal challenge for NIC, RTI activists and RTI promoters.
- **Systemizing record keeping and data management:** The success of RTI implementation will always be contingent on systematic and up-to-date record keeping and data management. Lack of proper and adequate data management has hindered access to information in public agencies. A case in point is the number of information are demanded and supplied yearly.

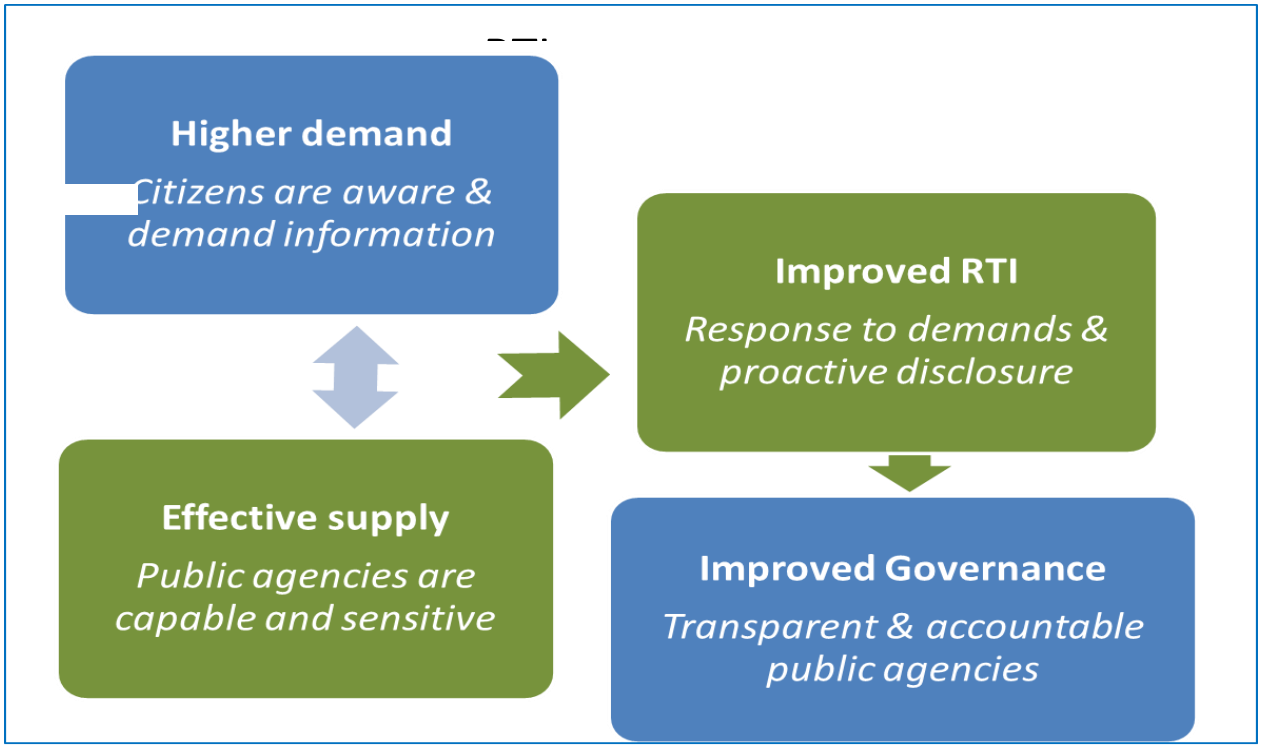
This project intends to deal with these challenges by strengthening NIC capacity, engaging with both the supply and demand sides, increasing outreach and awareness, and introducing innovative approaches (such as extensive use of MIS to demand information, data base information management system for information delivery and tracking status of demand for and supply of information, felicitating/awarding office chiefs, PIOs and citizens making exemplary contribution to the realization of citizens' RTI etc.) that facilitate greater realization of the RTI Act.

2.05 RTI theory of Change

Based on NIC's experience, this project is anticipated to directly contribute to the effective implementation of RTI Act by strengthening the supply side capacity, increasing RTI 'champions' within the policy-making domains and changing informal 'rules of the game' across targeted public bodies. In addition, the project also contributes to foster coordinated actions of CSOs in strengthening the demands for RTI, build relationship between CSOs and state agencies and facilitate their constructive engagement to realize RTI.

The project envisions following the following "Theory of Change" to make RTI a reality:

- If citizens are better aware of the importance, provisions and processes of RTI the demand for information becomes higher;
- If public bodies have better knowledge, skills and institutional systems they become more sensitive to supply information;



- This leads to better response to demands and proactive disclosure of information
- by public bodies thereby improving RTI realization;

- Improved RTI subsequently contributes to improving governance system by strengthening transparency and accountability of public bodies.

The role of RTI promoters (NIC, media and CSOs) is crucial for raising awareness and strengthening demands for information, contributing to improve policy and institutional environment, developing capacity of the supply side, and facilitating the interaction between the demand and supply sides. The activities, results and lessons of this project (including a separate project - SANCHAR – implemented by CSO consortium of partners on the demand side of RTI) were guided by the above theory of change.

2.06 Linkage with Governance Facility Objectives

The project is closely linked to the Governance Facility's Component 4 (Voice and Accountability) outcome: *The voices of Nepal's diverse society are better reflected in state policies and implementation, and mechanisms for horizontal and vertical oversight and accountability are improved.* By involving state institutions and CSOs in the RTI promotion, protection and enforcement processes and by strengthening their capacity in the prioritized areas of the National Strategic Plan of Action, the project will foster constructive engagement between state institutions and CSOs for complaint handling and grievance redressal practices (GF Component 4, sub-component 1). Through awareness raising and citizen's mobilization the project will enhance citizen's monitoring, public accountability and integrity (GF Component 4, sub-component 2). Strengthening NIC's own capacity in a range of areas is also one of the key priorities of the project so as to enable the Commission to achieve better results. As a public oversight body NIC will be able to more effectively contribute to improve transparency, accountability and integrity in the public sector by strengthening RTI compliance. This is linked to GF Component 4, sub-component 3.

3.0 Project Description

The project is in line with the National Strategic Plan of Action on RTI and gives emphasis to take forward the envisaged initiatives therein. This section provides an overview of the project, particularly the results chain, activities, project duration, target groups and coverage, implementation plan, monitoring, evaluation and reporting, sustainability and risks and mitigation measures.

3.01 Project Results

Impact

Public agencies are fair, transparent and accountable to citizens resulting in good governance in the civil administration of Nepal

Impact Indicator 1: Improved status of Nepalese RTI Act implementation in the global RTI Rating

Impact Indicator 2: Improvement in openness, transparency& accountability index for public service delivery like entitlements & benefit by the state to the citizen

Acquisition and use of information creates a knowledge society. Information and knowledge are critical for realizing all the human aspirations, such as, improvement in quality of life. When citizens have access to information and understand how to make use of the acquired information, they can effectively exercise their political, economic and legal rights and in the process become empowered. This, in turn, enables them to build their strengths and assets.

Greater realization of RTI is possible only when public bodies respond to citizens' demands and they proactively disclose information of public concern. Right to information provisions also encourage state-citizen engagement to resolve disputes and take collective actions for achieving the country's development goals. This practice subsequently strengthens public accountability, transparency and responsiveness in ways of sharing information, being more open, welcoming participation and making sure that the duties of the public bodies are upheld strongly at all levels. Improved RTI subsequently contributes to improving governance system by strengthening transparency and accountability of public bodies. Ultimately, it contributes towards improvement in service delivery.

Outcome

Public bodies meet citizen's demand for information on time and practice proactive disclosure.

Outcome Indicator 1: *% increase of citizens in targeted areas claim that their request for information has been responded/handed within the specified period*

Outcome Indicator 2: *Number of public bodies practicing Proactive Disclosure*

Outcome Indicator 3: *No. of public bodies appointing PIOs*

RTI enables citizens to access information of public importance that is under the control of public authorities. Access to information can contribute to promoting transparency and accountability of public bodies. It also makes public bodies more responsive towards the demands of citizens. As a result, citizens will receive timely information from public bodies and the culture of practicing proactive disclosure will be firmly institutionalized in public bodies. Therefore the outcome of the project will significantly contribute towards the achievement of a larger impact of making public bodies more responsive, transparent and accountable towards citizens.

Outputs

Output 1: Citizens are empowered to exercise RTI

Output Indicator 1.1: *No. of citizens, RTI activists & CSOs trained in exercising their RTI*

Output Indicator 1.2: *No. of RTI applications filed at public offices;*

Output Indicator 1.3: *% of those citizens wanting but fail to get information were able to do so*

Only limited people are aware about RTI and NIC in Nepal. Since the ultimate objective of RTI Act is to ensure citizens right to information, mobilizing citizen is the most critical step. Until and unless the citizens actively exercise their right, the importance of the RTI Act will never be realized. In the other hand, until and unless the citizens realize the significance of the Act, they will never use the Act for exercising their right. Having said so, it is worth noting that most people of Nepal both from civil society as well as general public are unaware about the extensive role of NIC and the role it can play in protecting the fundamental right of every citizen regarding right to information as well as in establishing a governance system that is transparent and accountable. The limited knowledge and awareness of NIC/RTI among the demand side has resulted in low volume of requests for information.

For the promotion of RTI to succeed it is imperative that citizens access available information and make demands for information when they feel that they do not have it. This will improve downward accountability and ultimately enhance the quality of public service delivery. As NIC alone cannot fulfill this responsibility, it needs to move strategically in close collaboration with the civil society organizations and the media.

Output 2: Supply side is strengthened to discharge their duties towards RTI of citizen

Output Indicator 2.1: *Number of public bodies appointing and institutionalizing PIOs*

Output Indicator 2.2: *% of the complaints that have been recorded formally by the concerned authorities and been acted upon;*

Despite the growing number of PIO appointments by government public bodies, the challenge is to empower them to effectively discharge their statutory role. Due to impeding factors such as frequent transfers, competing work demands, non-existent support system and low knowledge on RTI Act, PIOs have not been in the desired position to discharge their duties efficiently.

NIC needs to strengthen public bodies by increasing the capacity of PIOs and office chiefs, while also monitoring the status of proactive disclosures. Challenges in strengthening the supply side include the capacity and motivation of PIOs and as well as a culture of secrecy and apathy towards RTI in Nepal. PIOs face a difficult task as they have no incentive to be proactive, have to seek information from their seniors, and the lack of knowledge on RTI in other office holders.

Output 3: National Information Commission's capacity to protect and promote RTI is strengthened

Output Indicator 3.1: *Code of Conduct, Communication and Outreach Strategy, Human Resource Development Plan, and M & E Strategy prepared and institutionalized by the end of 1st. year*

Output Indicator 3.2: *% of appeals dispensed by NIC within stipulated time frame*

Output Indicator 3.3: *% registered requests or applications handled by NIC within stipulated time frame*

Being a relatively new entity, NIC needs to give priority to speedily develop its institutional capacity to be in a position to efficiently and effectively discharge its duties and fulfill its responsibilities. NIC needs to initiate steps to, strengthen its institutional policies and systems, and facilitate legislative reform to promote RTI, develop capacity of its staff and enhance its image and visibility in the public sphere.

NIC's efficiency is impeded by various issues relating to its human resource. Civil servants deputed in NIC are not experts on RTI. High staff turnover rate and lack of motivation hampers its operations. In order to strengthen NIC, efforts should be made to enhance the skills and competencies of NIC staff so that NIC can stand as a well-established independent entity with its own set of expert human resources on RTI.

There is limited knowledge and understanding about NICs mandate and its roles and responsibilities among different stakeholders. To address this, NIC needs be more proactive and step up activities to promote its image as an oversight organization. The absence of a mobile bench has constrained its ability for hearing appeals. Some policies and systems, under development, need to be completed and institutionalized. NIC also needs to strengthen monitoring of compliance at the central and district levels.

3.02 Implementation Strategy

Planning: The project will formulate annual work plan and budget (AWAB) for each year of project implementation, and subsequently develop trimester level work plan and budget in alignment with AWAB. The AWAB will provide a schedule of activities to be accomplished showing the required tasks in chronological order, with the beginning and end dates of each task while also specifying the staff/team responsible for planning and managing implementation and the official/committee exercising oversight over the implementation. This will be supplemented by a monitoring and evaluation framework to monitor and evaluate progress against clear milestones and output and outcome indicators.

Coordination: Coordination between the PMIT, NIC and key stakeholders (particularly officials government public bodies and representatives of the civil society organizations, and media both formally and informally) will be given priority. This will be done by sharing progress reports and periodic interactions to review implementation and progress. Adjustments and refinements in implementation of projects activities based on learning and good practices will be done in consultation with key stakeholders, which will be reflected in the successive trimester and annual AWABs.

Full time PMIT: A full time Project Management and Implementation Team (PMIT) comprising NIC staff under deputation and external human resource hired for the duration of the project under technical assistance provision and will be responsible for the implementation of the project. This will avoid dual role of NIC deputed staff, and focused implementation and

administrative and financial management of the project. The National Project Director will be delegated authority from NIC to disburse funds and approve expenditure incurred for the implementation project activities. The Project Manager (PM) - recruited externally will be responsible for the day to day implementation of the project. The PM will report to NPD for project activities. The PMIT will carry out project activities under the direct supervision of NPD. The NPD shall report to and seek guidance from the Secretary of NIC.

Separate stand alone project implementation office space: The Project will be housed in a separate stand-alone office space close to the NIC office. This will facilitate uninterrupted and focused implementation of the project.

Ensuring all prerequisites are fulfilled before the implementation date: The PMIT will identify all prerequisites (human resource, collaborating partners/agencies, both hardware and software required for efficient implementation) and ensure that they have been fulfilled prior to the implementation date.

Hardware and software support: The implementation plan will also incorporate all hardware and software facilities and material required for smooth implementation. This, among others, will include congenial work stations equipped with lap/desk top computers, and other software support including capacity building, adequate transportation facilities for travels outside Kathmandu valley, and prompt decision making. The MIS system and web based portal will be regularly updated and managed by qualified human resource comprising an IT specialist and an associate.

Documentation: The project will give priority on maintaining an up-to-date and scientific documentation system. Each implementation of activity will be documented to capture the process applied, challenges and learning. Quarterly and annual reports; and other knowledge products generated by external human resource/experts in the course of project implementation will be documented and recorded properly.

Expert pool of resource: The project will also rely on external experts required for the implementation of project activities as and when required. The SAPI will provide technical assistance and strategic inputs to the project.

Performance Monitoring: Performance monitoring of project implementation will be inbuilt in the project implementation plan. This will primarily be the responsibility of the project manager and the Monitoring and Evaluation Specialist.

Revision in the Implementation Plan and AWAB: NIC in consultation with Governance Facility can revise the Implementation Plan and AWAB depending upon the socio-political context and achievements on project activities. Revision may also warranted due to delayed action, deviation and risk mitigation.

3.03 Key Project Activities

The importance of RTI encompasses to both demand and supply side stakeholders. Instead of one specific thematic issue that NIC will take up in the next three years, NIC will take up following themes while promoting and implementing RTI in Nepal.

- RTI sensitization of citizens and stakeholders
- Proactive disclosure of information relating to government services and programs available/implemented for earthquake victims
- Public accountability and transparency
- Capacity development of human resource (NIC and the supply side).
  GESI as a cross cutting theme.

This will ensure compliance with the cross cutting issues of Governance Facility namely Human Rights Based Approach (HRBA); GESI and Institutional Good Governance.

Output 1: Citizens are empowered to exercise RTI

Activities

01) Encouraging and promoting activists as change agents

1.1 Felicitation of RTI Demand Side stakeholders:

The focus here will be on encouraging and promoting RTI activists as change agents to act as catalysts in transformational change. In this direction, NIC will felicitate and award publication houses, journalists, representatives of the civil society, and citizens who have made exemplary contribution in the promotion of RTI or have exercised RTI for public interest. This activity will be organized to coincide with either Right to Information Day or Right to Know Day. A committee, chaired by the Secretary of NIC and comprising representatives of Press Council, NFJ, PMO and MoIC as members, will be formed to develop and finalize 'working procedure and criteria' for the selection of activists for felicitation. Prior to the felicitation event, notice will be published in national newspaper; circular letters will be sent to 75 districts and details will be available in NIC's website. The nominations of the candidate will be 'evidence based'. The committee will recommend the names of RTI activists for felicitation with evidence. This will be forwarded to NIC for final decision for final selection of 5 awardees each year.

1.2 ***Collection and Publication of RTI Articles/ Essays:***

NIC will give continuity to the collection and publication of essays and articles initiated during the inception phase. RTI is relatively a new issue that has not received much priority among public. With this activity, it will contribute towards building understanding and knowledge among the populace as the articles/essays will be contributed by different academicians, practitioners and RTI activists who have extensive research and experience in RTI.

A committee will be formed under the chair of one of the Information Commissioner who will identify resource persons (practitioners, RTI activists, academicians, and bureaucrat), develop a roster and invite essays/articles from them. The same committee will collect, shortlist, review,

edit and finalize the articles/essays. This activity was also conducted during the inception phase of the project and will be given continuity throughout the project period.

02) Public awareness and RTI campaign

2.1 Develop TV Commercial: During the project inception phase, a TVC was produced and broadcasted through national television. A new TV commercial (TVC) will be produced each year throughout the project duration. There is a need to develop new TVC each year to reflect the changing conditions in the field of RTI such as promotion of MIS and use of PDMS.

2.2 Broadcast TV Commercial:

The TVC will be broadcasted 45 times in total in each year of the project period. The TVC will be broadcasted every alternate days in a month (15 times in a month) for 3 months. The TVC will be aired in 'national television' during prime time to coincide with Right to Information Day (19th August) and Right to Know Day (28th September) By selecting prime time to broadcast TVC in national television, this activity aims to reach out the message of RTI to wider viewership Data on PIOs appointments, Proactive Disclosure and RTI Applications from district and central level will be gathered during the pre and post broadcast phase to assess the impact of TVC.

2.3. Collaborate with popular television programs to incorporate RTI

Popular television programs can be an effective means to reach out to large population from different backgrounds. Such programs have strong viewership base and targeted audience. This activity aims to capitalize on the success of these programs by collaborating with them to disseminate information and knowledge on RTI in their regular program schedule. During the first year of the project, collaboration with 3 television programs will be made to coincide with 'Right to Information Day' (19th August) and Right to Know Day (28th September). In subsequent second and third year, collaboration will be sought with 4 popular television programs. These television programs can be national as well as regional. Collaborating with regional television programs can be effective to reach out to local language speaking population groups. Since there is need to promote use of MIS and MIS App to increase demand for information, this aspect will also be incorporated while collaborating with such television programs

A committee comprising NIC officials will be formed to oversee the collaboration.

2.4 Prepare Targeted Public Service Announcements (PSA):

During the inception phase, 1 PSA was produced and broadcasted. However, there is a need to review that PSA to reflect the changing socio-political context. Moreover, since MIS App will be designed and operationalized in the first year of project period, MIS component also needs to be included. Hence, two PSA will be produced each year throughout the project duration. While the

emphasis will be given to MIS in both PSAs, out of the two PSA, one PSA will be prepared to disseminate RTI message to the people of earthquake affected districts.

2.5 Broadcast PSA in Radio:

One type of public service announcement will be broadcasted on prime time for two months annually through Radio Nepal and local FM stations of project districts during the three years of project implementation. The second type of PSA will be broadcasted to disseminate RTI message in 14 earthquake affected districts through respective local FM station for 2 months annually throughout project period. In both of the cases, 2 months of broadcast will coincide with Right to Information Day and Right to Know Day. The broadcast of the PSA on prime time will reach out to mass population, and is expected to enhance awareness level on RTI.

2.6 Development, publication and distribution of IEC materials:

NIC will develop and disseminate outreach materials such as IEC materials to highlight the obligations of various public bodies and significance of RTI to strengthen transparency and accountability. At least six types of IEC materials (such as posters, leaflets, stickers, guidelines, flex prints, brochures, information boards and similar materials) will be produced and disseminated in multiple languages(to the extent possible). These materials will provide information about the NIC, provisions of the RTI Act, the RTI MIS in selected districts, mechanisms to support citizens and other pertinent issues of RTI concern.

In the first year, only two types of IEC materials will be developed as NIC will still have some inventory of IEC materials from the inception phase of the SUCHANA project which will be distributed. The 'Two types' of IEC refer to MIS brochure and Pictorial Guidebook. From the second year onwards, the project will produce and distribute various kinds of IEC materials.

03) Building a strategic collaborative relationship with Demand Side Stakeholders

In each year of the project period, NIC will organize separate interaction programs targeting: i) media persons (editors, journalists & reporters); and ii) CSO members and RTI activists primarily focusing on collaborative efforts to promote RTI campaign. These activities, besides promoting collaborative efforts between NIC, media and CSOs, will also provide the forum to deliberate on specific contemporary RTI issues and strategize on a common and harmonized way forward.

3.1 Collaborative Interaction program between demand side RTI stakeholders:

This activity is aimed at bringing together media persons, CSO members and RTI activists in collaborative interactive session to find a common way forward on specific RTI issues and promotion of use of MIS and MIS App identified in consultation with these stakeholders. Two events each year throughout the project period will be organized. This activity also aims to break the ice between these key RTI stakeholders by clearing misunderstandings and forging a

common understanding on any outstanding issues. GESI inclusiveness of the participants of this program will be taken into consideration.

04) Developing capacity of media person:

NIC will provide separate Training for Trainers (ToT) to CSOs/media representatives, RTI activists, teachers and health workers. This will comprise two events (targeting the media and health workers) in the first year and four events thereafter targeting CSO/media representatives, RTI activists, teachers and health workers in different regions of the country. Experts and trainers will be mobilized for this purpose.

4.1 Training of Trainer (ToT) for media person:

NIC will organize focused ToT for media person in close collaboration with Federation of Nepalese Journalists (FNJ). Memorandum of Understanding (MoU) will be signed with FNJ to organize ToT. This activity aims to train media person on RTI and application of MIS, MIS App and PDMS who will act as RTI catalyst and resource person in their jurisdiction to provide training to other media persons on RTI. Media can play an important role in institutionalizing effective implementation of RTI due to its outreach and popularity with the masses. Although media played a dominant role in enacting RTI Act in Nepal, it also efficiently protested any subversive attempt from any quarter. Despite all these awareness in collective and organized form, individual activities of media person, journalists and media houses are still at low level. Investigative journalism on RTI is still at the lower end. ToT for media persons, journalists, editors and media houses is intended to take RTI as one of the regular issue so that RTI finds adequate space in the media in addition to the reasons mentioned above. The expected outcome is to enhance knowledge, share paradigm shift in the field of journalism as regards to RTI issues. It is also expected to better educate general public through media and take issue of RTI at a heighten level of awareness. The trainers are expected to train other media persons on RTI and thus a cascading effect will take place.

05) Promoting RTI in Academic Institutions

5.1. School Curriculum Development on RTI for class 7:

NIC will give special emphasis to a forward looking strategic approach by promoting RTI in academic institutions. The strategic thrust is to create an educated mass that is sensitized on RTI and its implication in ensuring good democratic governance which upholds the principals of downward accountability and transparency. Gap analysis from grade 6-10 and Inclusion RTI in class 9 in Social Studies (Academic Calendar 2072/2073) was completed in the inception phase. Curriculum for grade 7 will be carried out in consultation with Curriculum Development Center. As curriculum is revised every 5 years, NIC will take this opportunity in collaboration with CDC for inclusion of RTI in class 7 curriculum.

5.2. Finalization of class 8 Optional Subject on RTI:

NIC developed an optional text book on 'RTI and Good Governance' for class 8 in the inception phase in collaboration with the CDC and Educational Development Center. The proposed book will be finalized with some edition on Print Ready Copy (PRC) and also some pictorial illustrations needs to be incorporated. The optional book will then be presented for approval to Subject Committee and Curriculum Development Council for introduction in the class 8 curriculum.

The introduction of the optional subject this will provide opportunity to students to take up RTI as a subject for learning and ensure in-depth knowledge from the early school years so that they become aware on RTI. This will enable them to be an assertive citizen in the future.

5.3 Finalization and distribution of teachers' guidebook:

NIC developed a draft teachers' guidebook in the inception phase. The draft will be finalized in consultation with the CDC. Edits on language and inclusion of pictorial examples will be done to make the guidebook more teacher-student friendly.

Introduction of a new subject is always a challenging prospect for teachers. They are generally inhibited due to the lack of teachers' guidebook. With the development and distribution of teachers' guidebook, teachers all over Nepal will be benefited as this guidebook will serve as a complete reference material on the new subject (RTI). This will in turn have a positive impact on students' learning on RTI issues.

Output 2: Supply side is strengthened to discharge their duties towards RTI of citizens

Activities

01) Empowering and motivating PIOs

1.1. Develop and publish guidelines for PIO:

PIOs have to rely entirely on the provisions of the RTI Act and the RTI Regulation to discharge their responsibilities. They are not provided a clear ToR detailing out their roles and responsibilities and how they are to discharge these responsibilities. While providing information under the Act, PIOs can feel uncertain at times. For example: PIOs can only supply such information that is available and existing and is held by the public authority or is held under the control of the public authority. The PIO is not supposed to create information that is not a part of the record of the public authority. The PIO is also not required to furnish information which require drawing of inference and/or making of assumptions; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions.

By the end of the first year, a guideline for PIOs will be prepared and operationalized so as to ensure ambiguities or uncertainties that may arise in discharging their duties are resolved.

1.2 Felicitating PIOs and Office Chiefs:

Motivation of PIOs and office chiefs to discharge their RTI duties effectively will be a top priority of NIC. There are several ways to motivate PIOs/ Office Chiefs to recognise their contribution/ efforts in implementing RTI, but NIC has opted for felicitation which is a noble way of recognizing outstanding services. Felicitation of this nature provides recognition to the PIOs who have been felicitated and also motivates others to emulate. Felicitation is the most recognised and widely used incentive in in the civil service of Nepal. In this regard, NIC will felicitate, on annual basis, five PIOs and office chiefs for outstanding services rendered in promoting RTI of citizens and use of MIS to provide information demanded. This is a complementary activity of NIC's regular program and will be organised either on Right to Information Day or Right to Know Day.

A committee, chaired by the Secretary of NIC and comprising representatives of MoGA, PMO MoIC and concerned ministries as members, will be formed to develop and finalize 'working procedure and criteria' for the selection of activists for felicitation. Prior to the felicitation event, notice will be published in national newspaper; circular letters will be sent to 75 districts and details will be available in NIC's website. The nominations of the candidate will be 'evidence based'. The committee will recommend the names of PIOs and Office Chiefs for felicitation with evidence. This will be forwarded to NIC for final decision for final selection of 5 awardees each year

02) Creating a favorable environment for proactive disclosure

2.1. Periodical Interactions with Secretaries & department chiefs:

Some of the fundamental reasons for not implementing RTI obligation in Nepal by public bodies are continuous apathy, lack of commitment and lack of strong determination on the part of high level authority. Moreover, less priority accorded to RTI, the negative attitude of having to perform extra and cumbersome work have also severely impeded the implementation of RTI obligation. The interaction program will be organized with secretaries of the ministries and commissions as well as with department chiefs to identify problems and share experiences on RTI implementation. Since MIS, MIS App and PDMS are relatively new concepts in government agencies, during the periodical interaction, the participants will be orientated on their use. The interaction program is expected to contribute to higher level of understanding and create an informed bureaucracy that can contribute in RTI implementation and in the process to downward accountability. This is a supplementary activity to NIC's regular program.

2.2. Periodical Interaction with the judiciary:

As the judiciary is a separate organ of the state under the principle of separation of power, RTI is equally applicable to judiciary as well. Judiciary falls under 'public bodies' as defined by RTI Act. Though most of the judicial functions are open and transparent, judiciary's proactive public disclosures and information providing is confusing. Therefore, periodic interaction will be organized with highest level of judiciary officials where status of implementation of RTI will be

discussed and experiences will be shared. Also, they will be briefed on MIS, MIS App and PDMS. The outcome of the interaction will be increase in the level of understanding and better results on RTI cases which can contribute towards a just society. With this interaction, the outcome will have a trickle-down effect and make RTI obligation as one of the tool of good governance in the country and also further the image of the judiciary.

2.3. Periodical Interaction with political parties:

There is a common understanding among political parties that governance issues lies with the government only and their functions are mainly to do with enacting laws and parliamentary censorship to the government. However, RTI Act defines 'political parties' as public bodies and also mentions that political parties should discharge their functions in line with the Act. Moreover, there is also very limited RTI knowledge among the lawmakers themselves and thus there is a general assumption that political parties are not bound by the Act. This myth has to be removed.

NIC will organize periodic interaction with the selected and designated officials of political parties and concerned parliamentary committee members to raise awareness and to reinforce their paramount responsibility not only with the government interference but also with themselves and jurisdiction under them. This activity aims at enhancing knowledge and understanding on RTI, MIS, MIS App & PDMS and seek cooperation and support for enforcement of RTI not only in government organizations but also through parliamentary censorship and through discussion of NIC Annual Reports in the concerned committee of parliament. This activity will also aims to seek commitment from political leadership for adherence to RTI provisions in their respective parties.

03) Strengthening data base and reporting to NIC

3.1. Institutionalize Proactive Disclosure Management System (PDMS)

PDMS is a web application in which the proactive disclosure of ministries will be available. The PDMS has already been developed by NITC in the inception phase. This activity aims to develop RTI link in all concerned ministries' websites regarding proactive disclosure. There will be RTI link in all ministries website which will forward to PDMS web application developed by this project. The application is developed using 20 guidelines developed by NIC. In first year, 7 ministries along with NIC will be institutionalized as a pilot project. Based on the success and learnings of this pilot initiative, this PDMS will be institutionalized in all remaining ministries in successive years.

3.2. RTIMIS Orientation and training at district level

3.2.1 RTI MIS Orientation and Training at district level (core district):

This project will continue to strengthen RTI/MIS capacity of relevant officials and stakeholders. During the inception phase, RTI/MIS orientation was conducted for all concern stakeholders in the district on the first day by CIC, ICs and senior NIC officials whereas RTI/MIS training was conducted for only district offices of 7 ministries. However, during this project period, the orientation and training will be of total 3 days in 15 core districts.

There will be two sessions on the first day. In the first session of the first day, all the concern stakeholders of the respective districts will be orientated on RTI and MIS. Since one of the outmost priority of NSPA 2015-2020 is strengthening the demand side also, during the second session of the first day, representatives of marginalized, ethnic and disadvantaged groups and women along with CSOs and media person will be orientated. This will ensure inclusiveness and adherence to GF's cross cutting issues. The second session will be a focused group session with a focus on disseminating practical knowledge on RTI such as legal provisions, filing an application either manual or through MIS, success stories on RTI and so forth. Pre and Post survey will be conducted to assess the level of understanding of these stakeholders. Also, performance evaluation will be conducted to assess the effectiveness of the session in disseminating knowledge on RTI. Based on the learning and reflection from the inception phase, government officials from 7 ministries were trained on MIS only. However, during this project period, government officials will be brought in a common platform where MIS refresher training (core districts) as well as training on RTI (core and new districts) will be given on the second day. This aims to contribute in strengthening the supply side. Again, Pre-Post surveys and Performance Evaluation will be conducted. On the third day, officials from 7 ministries who have been trained on RTI MIS will be visited in their respective offices for a follow up. During the inception phase, altogether 289 government officers from 7 line agencies were trained in handing RTI MIS. Moreover, during the inception phase, a total 2022 stakeholders from demand and supply side were orientated on RTI/MIS. A detailed RTI/MIS application procedures and manuals will be provided to the targeted offices and trainees.

3.2.2*RTI/MIS orientation and training at district level (new districts):*

NIC will impart RTI/MIS training at the district level government in new districts (15 new districts) during the three years of project implementation. The modality of RTI/MIS orientation and training will be similar to that of core districts as mentioned under sub activity 3.2.1. The three districts of Kathmandu valley namely Kathmandu, Lalitpur and Bhaktapur will also be included as new districts bringing the total number of new districts to 18 throughout the project period. However, the modality of orientation and training will be different as mentioned under sub-activity 3.2.3.

3.2.3 RTI/MIS orientation and training at district level (new districts - 3 Districts in Kathmandu Valley)

NIC will impart RTI/MIS training at the three districts of Kathmandu Valley (Kathmandu in the first year and Lalitpur & Bhaktapur districts in the second year) during the three years of project implementation. During the inception phase, the need to train government officials of 7 ministries of these district on RTI MIS was realized due to its proximity to central level agencies. The modality of RTI/MIS orientation and training will be of 2 days. In the first session of the first day, all stakeholders will be oriented on RTI and MIS. During the second session of the first day, representatives of disadvantaged, marginalized groups and women will be orientated. In the second day, PIOs from 7 ministries' district offices will be trained intensively on handling MIS and RTI.

3.3. Training to Office PIOs of Ministries & Commissions:

During the project period, NIC will also impart annual trainings to cover PIOs of ministries and commissions at the central level. One event will be organized each year throughout the project duration. During this training, PIOs of ministries and commissions will be trained on RTI as well as on MIS. This activity aims to enhance the knowledge and understanding of PIOs on RTI issues and seek commitment and enforcement of RTI implementation from the central level itself. RTI Audit will be conducted to monitor RTI status and obligations of respective ministries and commissions.

3.4. Training of PIOs of 54 Departments:

During the project period, NIC will impart annual training to cover PIOs of 54 departments at the central level. One event will be organized each year throughout the project duration. During this training, PIOs of departments will be trained on RTI as well as MIS. This activity aims to enhance the knowledge and understanding of office heads/PIOs on RTI issues and seek commitment and enforcement of RTI implementation from the central level itself. RTI Audit will be conducted to monitor RTI status and obligations of respective departments.

04) Developing resource base of trainers with in-depth - knowledge on RTI

4.1. Interaction with trainers of different government training agencies:

There are 19 government training institutions. One interaction event on RTI will be organized for chiefs and trainers of NASC and 18 other sector-wise government training institutions who will work as a network member. By selecting 2 trainers from each institution, there will be 38 trainers. During the inception phase similar ToT was conducted that led to inclusion of RTI in 9 training institution. There is need to incorporate RTI in training of other training institutions as well as to increase the number of trainers. This pool of trainers will be instrumental in the inclusion of RTI in the respective training programs of their institution. It will also create a pool of trainers on RTI for mobilization in RTI related training programs in the country. This event will be organized in 1st year and 3rd year

Output 3: National Information Commission's capacity to protect and promote RTI is strengthened

NIC's efficiency is impeded by various issues relating to its human resource. Civil servants deputed in NIC are not experts on RTI. High staff turnover rate and lack of motivation hampers its operations. The project will implement activities aimed at strengthening NIC’s institutional policies and systems, facilitating legislative reform to promote RTI, developing capacity of its staff and enhancing its visibility and image in the public sphere.

Activities aimed at enhancing the skills and competencies of NIC staff so that NIC can stand as a well-established independent entity with its own set of expert human resources on RTI will be implemented. Some policies and systems, under development, will be completed and

institutionalized. NIC will also strengthen monitoring of compliance at the central and district levels. These activities, in entirety, will strengthen NIC's oversight capacity.

Activities:

01) Institutionalize policies and systems of NIC

1.1. Approve and operationalize various policies and guidelines:

During the Inception Phase of the SUCHANA project, NIC developed Human Resource Development Plan, Outreach and Communication Strategy, and Proactive Disclosure Guideline. NIC will institutionalize and operationalize these documents in the first year of the project implementation. Necessary approvals will be taken for this purpose

1.2. Internship program in the Commission:

As part of strengthening national capacity for RTI, the internship program will be continued so that additional young students and professionals can be developed as champions of RTI. During the inception phase, the interns assisted NIC officials and PMIT in all aspect of daily administrative processes (maintenance/updating records) in all sections of NIC including preparation for field visits and workshops/interaction programs at central level. This program will be continued in collaboration with law, journalism, and IT colleges and students from interested institutions will be selected to work at NIC. They will be selected on the basis of recommendation by the concerned institutions while priority will be given to women, Dalit, marginalized and ethnic groups. Each program will be of six months and for three rounds. Two interns will be selected out of which one will be from IT background. These 2 interns will work with NIC for 6 months. Depending upon the performance of IT intern, the internship can be extended for another six months. By this, NIC will have an IT intern throughout each year during the project phase.

02) Facilitate legislative reform to promote RTI

2.1. Review and advocate for legislative reforms based on international standards and best practices

Some of the Acts which requires enactment and revisions are Right to Privacy Act, National Security Act, Public Records Act, Whistleblower Protection Act, National Identity Act, Data Protection Act. This tasks need to be undertaken by the responsible GoN organization gradually. At present NIC constituted task force will review and advocate for legislative reforms of RTI Act 2007, RTI Regulation 2009 and 289 contradictory laws on RTI. The task will be completed in the first year of project implementation; and in the remaining project period, advocacy and lobby efforts will be taken up for legislative reforms. The CIC, IC, Secretary, legal experts, and civil society leaders will be involved in this effort.

03) Capacity development of NIC commissioners and staff

3.1. Exposure visits, Domestic and International Training Programs: The project will facilitate the development and execution of a capacity development plan targeting: a) CIC and ICs; b) NIC staff; and c) the project management and implementation team (PMIT). The PMIT will assist NIC to conduct a need assessment of NIC staff using a simple questionnaire, and the capacity development plan will be informed by this need assessment. Selection of trainees will be based on the capacity gap of individuals, and as a reward for work performance.

NIC will give emphasis to provide capacity development opportunities to its staff to increase their motivation, ensure energetic participation in NIC activities, remain well informed about RTI practices in Nepal and best practices elsewhere, and encourage retention. This will include exposure visits to foreign countries (one SAARC/Asian country each year and one cross continent country in the first year), domestic training (one event in second year; resource person invited from abroad) and international training (one event in third year) and throughout this project duration to observe implementation and good practices.

The NIC Liaison persons associated with PMIT will be provided with a monthly travel and communication expense, the amount of which will be decided and minuted and shared with the GF. The budget for this specific expense is provisioned under budget line item "E".

3.2. Annual Review and Reflection: Annual review and reflection, to be participated by NIC Commissioners, NIC staff, PMIT staff, and government officials on the project's achievements, learning, challenges and good practices will be institutionalized.

04) Improve RTI Enforcement Capacity of NIC

4.1. Development of MIS Android App: The project will develop and launch a MIS Android App which is a mobile application for MIS system for android phones so that people can use the MIS system from their phone also. This application will be developed by an external expert during the first year and launched by NIC in the first year itself. The App will be updated annually (i.e. from the second year onwards).

4.2. Maintain and Update Management Information System (MIS): With the support of the Enabling State Programme (ESP) supported project 'Improving the Implementation of RTI', NIC had piloted an RTI MIS in six key ministries of the government and their district level line offices in five districts in 2013. With the installation of the MIS and trainings provided to key agencies, altogether 30 offices had a system to manage information requests and track progress. The system was connected across NIC, the six ministries in Kathmandu and the line offices in five districts. The inception phase of the SUCHANA project, expanded the MIS in 13 new districts to reach 18 districts altogether.

In the upcoming three years, NIC will further expand the MIS to 18 more districts. The MIS will be updated with additional features on an annual basis in line with the feedback and suggestions received from users. NIC will work with a new vendor for upcoming updates as the existing vendor is not expected to continue its association with NIC.

4.3. Installation of New Server: Currently, NIC has only one server. In the upcoming project phase, NIC envisages to have four systems - NIC Website, MIS, PDMS (Proactive Disclosure Management System), and Android Application. As the volume of data grows, one server will not be sufficient. Thus another server will be installed in the first year.

4.4. Maintain and Update NIC Website: The exiting website needs to be updated due to two primary reasons. The old vendor has not been supportive to the required level and users have pointed out that it needs to be more users friendly to enhance its effectiveness. In this regard, NIC has gone through several RTI related websites worldwide, and is incorporating other user friendly features of website. The website is already lived. During the project period, updating the NIC website in line with users' feedback and in keeping up with the pace of technological development will be an ongoing process.

4.5. User Friendly Document Management System (desktop based):

Efficient dispensation of RTI happens when the supply side meets the demand for information on time in line with legal provisions. In most of the public bodies and state agencies, record keeping, documentation and data management is in a poor state. PIOs are usually hard pressed to dig out information dating back over time (one year or earlier). This condition has greatly reduced their capacity to supply information.

Hence, Document Management System (DMS) will be developed in order to enhance the effective document management of NIC. Since access to these documents is a sensitive issue, access level to this system will be developed according to NIC's organizational hierarchy where administrative access (top level access) will be provided to CIC, ICs & Secretary of NIC. This is a desktop based application where M&E indicators will also be included in the system. All RTI applications, orders, appeals, complains, other important documents of NIC along with important reports will be on that system. Finally the archive of the documents will be stored in server for future archive.
This desktop application will be operationalized only in NIC.

05) Enhance the profile and visibility of NIC

5.1. Utilize media to encourage appointment of PIOs, proactive disclosure and RTI MIS material: NIC will launch media centric awareness campaign to encourage PIO appointment in and proactive disclosure by all public bodies as specified by the RTI Act. In tandem with this activity, it will apply a media campaign to encourage the general public to make use of the MIS to demand information and file RTI appeal. NIC will also publish MIS guidebook in national newspaper to educate and promote the use of MIS and MIS App.

5.2. Organize National Level RTI Convention: NIC has a significant role in executing RTI Act with considerable authority and power, it has been in low profile for many years. It is imperative for NIC to enhance its image and visibility at the national level. NIC, in coordination with media, civil society organizations, will host an annual National RTI Convention to be participated by various RTI stakeholders. The Convention will provide a common platform to examine the

strength and weaknesses of RTI efforts taken by various actors. The Convention intends to bring the national actors on board and formulate a strategy to engage RTI stakeholders to coordinate and implement RTI activities.

06) Promote research based initiatives on RTI

6.1. Collection & Publication of RTI Success Stories:

On second year, NIC will collect and publish RTI success stories. This will facilitate easy reference to RTI researchers and also showcase success stories to motivate RTI activists to promote the exercise of RTI.

Cross-cutting activities

Activity 1: Project Orientation:
Project orientation will be organized to inform about project agreement to RTI stakeholders, media and other academicians to garner their support and mobilize them in the future. This orientation will be held in Kathmandu.

Activity 2: Project monitoring
A range of activities will be carried out for project monitoring. Following are key activities to be implemented for project monitoring:

2.1 Strengthen M& E System and Monitoring and field visits of project districts
Steering Committee meetings, PMIT meetings and field visits by CIC/ICs and Steering Committee members, PMIT members and staff will be key regular activities.

During the Inception Phase, the SUCHANA project adopted an outcome and output tracking system in line with the established indicators of the logical framework. The main idea behind this was to make M & E an integral part of project implementation. It was also viewed as a tool to make NIC staff accountable. A set of monitoring tools (such as formats for collecting activities based information, monthly plans and monthly reports) was developed to track timely delivery of activities and implementation processes.

In the first year of project implementation, a M &E Guidelines will be developed, approved and institutionalized by the NIC. The M & E Guideline will incorporate GESI sensitive data collection.

Ongoing field based monitoring will also be carried out by the project team during the entire project period. At the end of the project period, an independent external review will be done to assess the relevance, efficiency, effectiveness, impact and sustainability of the project.

2.2 Monthly review
Monthly review meetings will be organized at NIC to review progress and prepare subsequent plan. This will be an internal exercise of PMIT and selected members from the Steering

Committee. NIC staffs will be invited and get their feedback and improvement in project activities.

2.3 Quarterly review by Steering Committee

This will also be an internal exercise of PMIT and Steering Committee to review the progress of the quarter and prepare a plan for the next quarter.

2.4 Final Project Completion Review- External Evaluation

Final project completion review will be organized by NIC. NIC team, representatives from funding agency, CSO(s), and select state agencies will also be invited to jointly review, reflect and share lessons. An external evaluation will be carried out at the end of the project. This activity will be decided in consultation with the funding agency to avoid any duplication. The evaluation will also assess progress against M & E Framework.

At the end of the project, a project completion workshop will be organized in Kathmandu to reflect on the achievements, challenges and lessons. At the same time project closure message will also be disseminated to the key stakeholders.

Activity 3: Translation of NSPA and Project Document:

Translation of NSPA 2015-2020 and project document in Nepali language will be carried out to provide information to concerned stakeholders for implementation.

Activity 4: Standard Operating Procedure (SOP):

Standard Operating Procedure (SOP) on project's financial operations will be developed based on GoN Financial Regulations and Financial and Technical Grant Assistance agreement with Governance Facility (GF). The SOP will guide the budget, disbursement, expenditure and reporting requirement along with the procedures for accounting and expenditure recording.

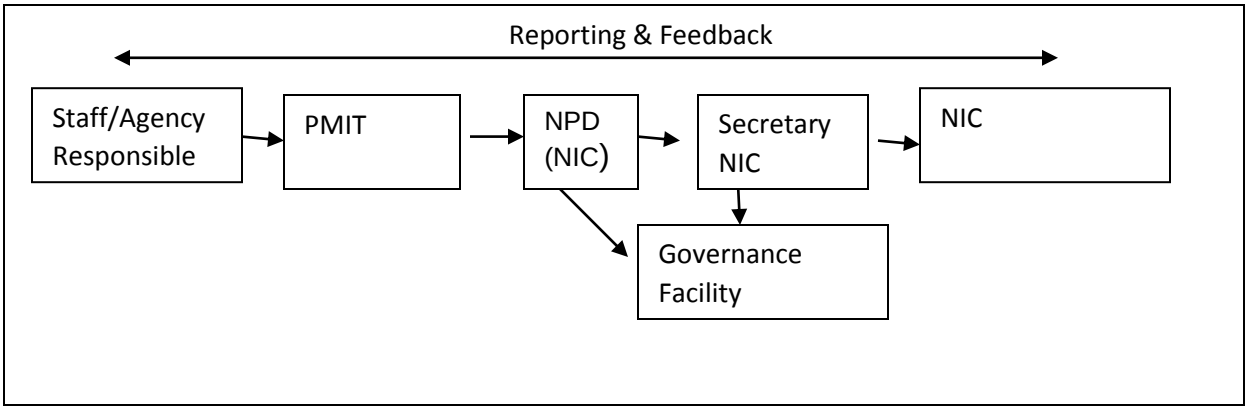
Activity 5: Office Establishment:

As there is inadequate office space in NIC for its staff as there is further increase due to the HRD Plan and subsequent O&M by MoGA. Housing PMIT at NIC offices seems unlikely and therefore there will need for extra office space. To furnish the new office and need for furnishing will require additional funding.

Activity 6: Project audit

Governance Facility will make necessary arrangements for the project audit for GF to ensure compliance of project activities and adherence to financial discipline.

Reporting: The PMIT will prepare progress reports based on the activities implemented, results achieved, evidences available, and lessons learned. The NPD will ensure timely preparation of project reports and share with secretary, the Steering Committee and NIC. The PMIT/NPD will report to the Governance Facility.



3.04 Project Beneficiaries

Primary target groups/beneficiaries: The NIC, public bodies, key government ministries and PIOs of their line offices in 30 districts and in Kathmandu, Lalitpur and Bhaktapur will be primary target groups of this project. Hence, 18 districts in total will be covered during the project period. The project will benefit NIC, its staff and PIOs in targeted districts to enhance their capacity. The RTI MIS system will be implemented in full fledge in seven selected ministries namely Ministry of Federal Affairs and Local Development, Ministry of Education, Ministry of Urban Development, Ministry of Infrastructure and Transport, the Ministry of Health and Population, Ministry of Agricultural Development, and Ministry of Information and Communication and their district line offices. Additionally, government post office and other office representatives will benefit from a range of training activities. If elected, representatives of local bodies will also be primary target groups of the project.

Secondary target groups/beneficiaries: The other beneficiaries will be the civil society as they would be informed about their RTI along with creation of an enabling environment for practicing RTI in Nepal through selected ministries. As part of multi-stakeholder dialogues, media, other government agencies than those targeted as primary beneficiaries, and citizens at large who are interested in RTI will be the secondary beneficiaries of the project.

3.05 Project Time Frame

The project period will be of three years from 15st March 2016 to 31st December 2018. The first year of the project will start from 1July 2016, and the consequent years on 1st of January with each fiscal year ending on 31st of December of that year.

NIC has implemented the Inception Phase. During this phase, NIC firmed up the project team, organized pre-implementation consultations with key stakeholders. In this phase of implementation, NIC will prepare a detailed work plan and budget for each specific year, and specify logical frame indicators, baseline and milestones/targets. NIC will also think through its

exit strategy. A draft Exit Plan has been prepared in the Inception Phase and will be updated later on.

In the last three months of the project, priority will be given to finalize consolidation of results, evidences, lessons and reporting of the project in addition to the closure processes.

3.06 Project Location

The project will be implemented in 33 districts. Five districts—Morang, Parsa, Kaski, Banke and Dadeldhura—where NIC had implemented a project in 2013 and were taken as core districts. During the inception phase, the project expanded coverage to 10 districts (both RTI and MIS) while RTI MIS follow up/revisions were also conducted in 5 core districts. In addition to these districts Taplejung, Panchthar, Sankhuwasabha, Udaypur and Saptari districts have conducted RTI training. Similarly, MIS training has been conducted in Kathmandu, Rautahat and Dailekh. Hence, during the inception phase, RTI trainings were conducted in 20 districts and MIS in 18 districts.

The project will further expand its outreach by supplementing district coverage by 18 more districts in this three years phase of project implementation.

Core districts	No. of districts added in the inception phase	No. of districts to second round expansion priority districts
5 (Morang, Parsa, Kaski, Banke and Dadeldhura)	10 (Dhanusha, Nuwakot, Baglung, Syanja, Palpa, Dang, Surkhet, Kailali, Kanchanpur, Doti)	18

In view of the recent earthquakes and reconstruction works to be carried out in these districts, district coverage will give priority towards encompassing the district most affected by the earthquake.

3.07 Implementation plan

NIC will prepare an Annual Work Plan and Budget for each year detailing out specific activities and resource allocation for each year. Each year a thematic issue will be taken as a priority for the project activities. For the first year, priority will be given to earthquake affected districts while selecting the district along with other districts. Out of the new districts Kathmandu will be selected in the first year followed by Lalitpur and Bhaktapur in the succeeding year. Remaining 30 districts will be selected while formulating AWAB so as to avoid duplication of districts undertaken by NIC. A detailed implementation plan will be developed and submitted by the first month of the start of the project implementation. However, following is a tentative overall plan for implementing key activities.

S.N.	Activity	Years (Quarters)				
		1			2	3
		Q1	Q2	Q3		
Output 1: Citizens are empowered to exercise RTI						
1.0	**Encouraging and promoting activists as change agents**					
1.1	Felicitation of RTI Demand Side stakeholders (Journalist, RTI Activist, CSOs & Citizens)					
1.2	Collection & Publication of RTI Articles/Essays					
2.0	**Public Awareness and RTI Campaign**					
2.1	Develop TVC					
2.2	Broadcast TVC					
2.3	Collaborate with popular television programs to incorporate RTI					
2.4	Prepare targeted Public Service Announcement (PSA)					
2.5	Broadcast PSA in Radio					
2.6	Development, publication & distribution IEC materials					
3.0	**Building a strategic collaborative relationship with Demand Side Stakeholders**					
3.1	Collaborative Interaction program between demand side RTI Stakeholders					
4.0	**Developing capacity of media person**					
4.1	Training of Trainer (ToT) for Media Persons					
5.0	**Promote RTI in academic institutions**					
5.1	School curriculum development on RTI for class 7					
5.2	Finalization of class 8 Optional Subject on RTI					
5.3	Develop & distribute Teachers' Guidebook					
Output 2: Supply side is strengthened to accomplish their duty towards RTI of Citizen						
1.0	**Empowering and motivating PIOs**					
1.1	Develop and publish PIO Guidelines					
1.2	Felicitating best PIOs & office chiefs at the national level					
2.0	**Creating a favorable environment for proactive disclosure**					
2.1	Periodical interaction with secretaries & department chiefs					
2.2	Periodical interaction with the judiciary					
2.3	Periodical interaction with political parties					

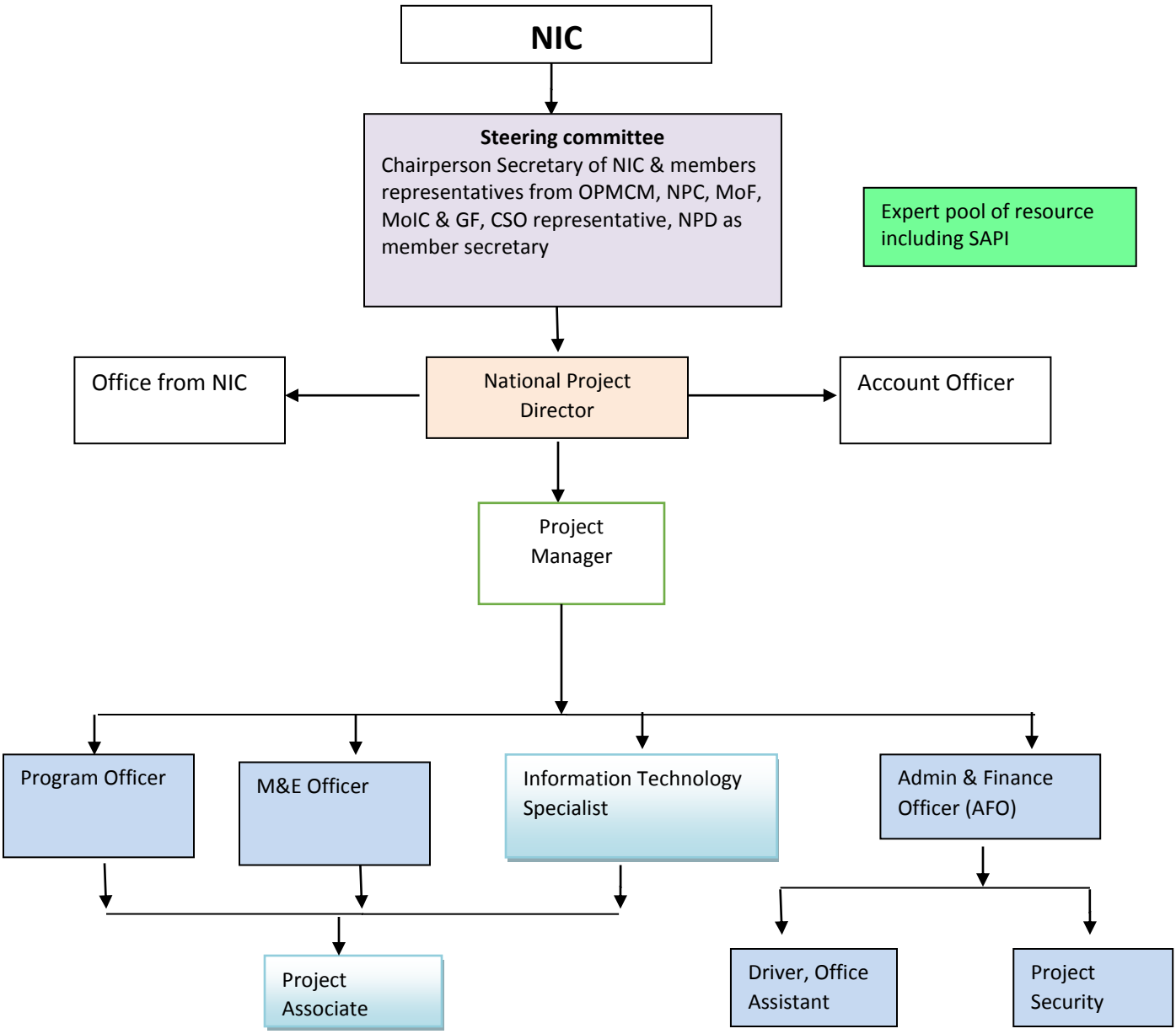
3.0	**Strengthening data base and reporting to NIC**					
3.1	Institutionalize Proactive Disclosure Management System (PDMS)					
3.2	RTI MIS Training at district level					
3.2.1	RTI MIS Training at district level (core districts)					
3.2.2	RTI MIS Training at district level government offices (new districts)					
3.2.3	RTI MIS Training at district level (3 districts in Kathmandu Valley)					
3.4	Training of PIOs of Ministries and Commissions					
3.5	Training of PIOs of 54 Departments					
4.0	**Developing resource base of trainers with in-depth knowledge on RTI**					
4.1	Interaction with different government training agencies					
Output 3: NIC's Capacity to protect and promote RTI is strengthened						
1.0	**Institutionalize policies and systems of NIC**					
1.1	Approve and operationalize various policies and guidelines (HRD, Communication & Outreach Strategy and Proactive Disclosure Guideline)					
1.3	Internship program in the commission (including IT based intern)					
2.0	**Facilitate legislative reform to promote RTI**					
2.1	Review and advocate for legislative reforms based on international standards and best practices					
3.0	**Capacity development of NIC Commissioners and staffs**					
3.1	Exposure Visits, Domestic and international training programs					
3.2	Annual Review and Reflection					
4.0	**Improve RTI Enforcement Capacity of NIC**					
4.1	Development of MIS App					
4.2	Maintain and Update MIS					
4.3	Installation of new server					
4.4	Maintain & Update NIC website					
4.5	User Friendly Document Management System (desktop based)					
5.0	**Enhance the profile and visibility of NIC**					
5.1	Utilize media to encourage appointment of PIOs, Proactive Disclosure and RTI/MIS material					
5.2	Organize National Level RTI Convention					
6.0	**Research based initiatives on RTI**					

6.1.	Collection and Publication of RTI Success Stories					
	Cross Cutting Activities					
1	Project Orientation					
2	Project Monitoring					
2.1	Strengthen M&E System and Monitoring & field visits of project districts					
2.2	Monthly Review					
2.3	Quarterly Review by Steering Committee					
2.4	Final Project Completion- External Evaluation					

3.08 Management Arrangements

Overall, the project will have two major steering and management approaches: i) through a Steering Committee and technical assistance provision; ii) through a Project Management Implementation Team (PMIT). The Steering Committee will be an apex mechanism to steer the project. The Steering Committee will ensure strategic implementation of the National RTI Strategy and Plan of Action by leading and coordinating strategic direction, guiding implementation and ensuring coordination across key stakeholders including the civil society. Following is the strategic steering structure:

The PMIT will be responsible for operational sides of the project, including implementation, monitoring and reporting. Detailed ToRs for all of these structures and staff will be finalized in the first quarter of the first year of implementation. The PMIT will have the responsibility to assess and monitor CSO initiatives on RTI and provide suggestions to donor agencies in terms of selecting and focusing their interventions.



NIC technical capacity needs have been identified during the process of developing the National Strategic Plan of Action on RTI and through other reflections. Given the mandates, existing human and financial resources are limited and NIC is not able to play a more proactive role in

various fronts. This project aims to address this gap and contribute to strengthening NIC capacity in a number of strategic areas such as implementing Strategic Plan of Action, maximizing the use of IT, and linkages and coordination with key RTI stakeholders at various levels. Arrangements were made during the inception phase to bring on board a Senior Strategic Action Plan Implementation Adviser (SAPI) for strategic functions. Other technical assistance provisions (including IT Specialist, M&E Specialist, Program Officer, Finance and Administrative Officer and mobilization of external experts as per requirement) were duly incorporated during the inception phase. This will be given continuity with some changes in the PMIT structure.

The following members will constitute the project team at NIC:
The Steering Committee, chaired by the NIC Secretary comprising and representatives of Office of the Prime Minister and the Council of Ministers (OPMCM), Ministry of Finance (MoF), the Ministry of Information and Communication (MoIC), the National Planning Commission, GF and the National Project Coordinator (NPD) as member secretary will play a key role in ensuring horizontal coordination.

The secretary shall report project activities to NIC. It will be his/her responsibility to give due consideration to NIC's suggestion and present them at the steering committee meeting for it's consideration, if necessary.

National Project Director (NPD) will be responsible to oversee the overall implementation of the project. NPD shall be responsible to secretary. NPD shall coordinate between the Secretary and PMIT. S/he shall report to and seek advice and guidance from Secretary. NIC will designate a Joint Secretary as NPD.

An Officer from NIC will be responsible for day-to-day administrative function of the project. S/he will be selected from NIC staff and delegated to the project.

Account Officer (AO)/Accountant will be responsible for overseeing the effective compliance of the accounting system in line with guidelines provided by the funding agency and the prevailing policy of the GoN. There will be separate AO or Accountant for the project. S/he will be deputed by the GoN. S/he will be responsible for ensuring due approvals of all accounts from the NIC.

Project Manager (PM) will be responsible to manage the day to day operation of the project and steer the PMIT. S/he will be responsible for the implementation of the project in coordination GF and NIC. S/he will prepare calendar of operation and prepare monthly, quarterly and annual report. S/he will report to NPD/NIC and GF. S/he will be recruited externally.

Information Technology Specialist (ITS) will be responsible for providing technical assistance to NIC and key project target agencies for the deployment, maintenance and enhancement of the RTI MIS system along with other IT related functions. S/he will be responsible in conducting MIS orientation and training at central and district level. ITS will be recruited externally.

Program Officer (PO) will be responsible to formulate and accordingly implement AWAB; develop trimester level work plan and budget in alignment with AWAB, prepare and implement

project activities at central and field level. S/he will work under the guidance and supervision of Project Manager. S/he will work closely with IT Specialist and will coordinate with Project Associate. S/he will be recruited externally.

M&E Officer (MEO) will be responsible for developing and implementing monitoring and evaluation guidelines and plans of the project. S/he will be responsible for preparing and monitoring the project LFA, baseline surveys and preparing exit plan. S/he will work under the guidance and supervision of Project Manager. S/he will work closely with IT Specialist and will coordinate with Project Associate. S/he will be recruited externally.

Administration and Finance Officer (AFO): Since the Account Officer deputed by the NIC will be of a part-time nature, s/he will be supported by an externally recruited finance officer who will be responsible for all preparatory works relating to expenditures, procurement and payments. S/he will also be responsible for preparation of financial reports in line with the requirement of the Governance Facility. S/he will be recruited externally.

Project Associate (PA) will primarily assist the PMIT in communication, documentation and information management functioning. S/he will assist in developing and implementing monitoring and evaluation guidelines and plans of the project. S/he will also assist for preparing and monitoring the project LFA, baseline surveys and periodic report. S/he will be recruited externally.

Office Assistant, Driver & Security Guard: In addition, the project will recruit externally an office assistant, driver and a security guard.

Expert pool of resource: The PMIT will mobilize expert pool of resource for strategic input and direction during the project implementation phase. This will be as per the need of the project. The pool of resource will comprise of Senior Strategic Action Plan Implementation Adviser (SAPI), legal specialist, CSO specialist and other resource person to be mobilized as consultants when required by the project. The SAPI will be responsible for providing strategic input to the PMIT for smooth implementation of the project.

The recruitment of PMIT staffs and expert pool of resources except staffs to be deputed by NIC, will be hired by Governance Facility in consultation with NIC. NPD, Administrative officer and account officer from NIC will be paid fixed monthy allowance for assisting in carring out project activities. The PMIT's and expert pool of resources remunerations, benefits, entitlements as well as technical assistance cost shall be mobilized by the Governance Facility. DSAs rate during the field visit related to project activities shall be applicable as per consultation between NIC & GF.

3.09 Management of Project Resources

Project equipment, such as computers, vehicles and other resources will be used by the project team. The project equipment will be at the disposal of PMIT and shall be handed over to NIC at the end of the project. This provision will enable the project team to be resourceful and able to manage the project efficiently.

The project team will accountable to the project, the PMIT and the NIC, the project Human Resources fund will be mobilized through the Governance Facility. The Governance Facility will pay the salary & other benefits through the bank bases on agreement between this NIC project, the GF & the contracted personnel.

3.10 Financial management

3.10.1. The Accounts Officer/ Accountant deputed from NIC (GoN) will keep and maintain separate project accounts as per the rules and regulation of GoN. A separate bank account will be opened and maintained as per GoN's regulation. Financial audit of the project will be conducted according to the Government of Nepal rules and regulations by a designated officer of the Office of Auditor General. The Office of the Auditor General shall audit the amount disbursed to NIC by GF.

3.10.2. The PMIT will keep a separate account for the project in accordance with Governance Facility guidelines. The financial report will be submitted along with respective program progress reports. The annual audit report and accompanying financial statements will also be prepared and submitted to Governance Facility no later than six months after the closure of the financial year. GF shall incur the expenditure and audit the amount mobilized by GF for technical assistance grant budget. Since the project is under the financial and technical grant assistance provision, a separate annex under each category will be prepared and annexed as to be mobilized by NIC and GF respectively.

3.11 Coordination and linkages

NIC will ensure effective networking and coordination with various RTI stakeholders both at the national and local levels. Coordination with CSOs and the media will be instrumental for strengthening the demand and bridging their communication with the supply side. The most relevant stakeholders related to RTI besides the NIC are OPMCM, Ministry of Information and Communication, Department of Information, Press Council, National Human Rights Commission, Federation of Nepalese Journalists and Nepal Bar Association. NIC along with CSOs and the media will work closely with these stakeholders.

NIC will strengthen coordination with the Ministry of Information and Communication and make them more sensitive towards monitoring RTI application by different public bodies in coordination with the nodal agency at OPMCM. Ministry of General Administration will also be coordinated in order to make them aware about the scope of RTI so that they can assign the most suitable staff to the NIC. It will also establish partnership with National Human Rights Commission, Federation of Nepalese Journalists and Nepal Bar Association and other stakeholders to seek their support for more effective implementation of RTI activities. The PMIT will regularly coordinate with relevant CSOs and other stakeholders on a day-to-day basis.

3.12 Contribution to the cross-cutting issues of the Governance Facility

Human rights based approach: NIC perceives RTI as citizen's right to access information held by public bodies which include all government organizations at the national and local level, non-governmental organizations, political parties and any other body of public importance. This principle indicates that all the information held by public bodies should be subject to disclosure

unless there is an overriding public interest justification for non-disclosure. The right to information is regarded as fundamental human rights that underpin good governance, democracy, poverty eradication and the practical realization of human rights. Thus promoting citizen's RTI is human rights based approach to deepen citizens' meaningful participation in democratic governance processes and to enhance downward accountability of public bodies.

Gender equality and social inclusion (GESI): NIC acknowledges the fact for RTI campaigns to succeed two important aspects are mandatory: i) the campaign needs to be owned and led by the civil society both at the national and sub-national level; and ii) the campaign needs to make explicit that by exercising RTI, tangible benefits will subsequently ensue to rights holders (particularly to women and other marginalized and excluded communities at the grassroots level) in terms of improved access to state resources including state sponsored entitlements and social security provisions as well as overall improvement in service delivery. NIC will pursue and promote ministry level public bodies to publish integrated entitlement/benefits in a consolidated form to all stakeholders. Such publication is envisaged to be mandatory by the end of the project.

The project will ensure the collection of data in a GESI responsive way. Data disaggregation will be done in terms of gender, caste, ethnicity, geography (district, region), age and disability. The strategic thrust will be to ensure that the most women and excluded communities benefit from RTI. The PMIT structure will strive to achieve gender and caste/ethnicity balance.

Conflict transformation: Right to information provisions also encourage state-citizen engagement to resolve disputes and take collective actions for achieving the country's development goals. This practice subsequently strengthens public accountability, transparency and responsiveness in ways of sharing information, being more open, welcoming participation and making sure that the duties of the public bodies are upheld strongly at all levels. This will in turn reduce corruption and improve service.

Conflict sensitive approaches such as bringing together protagonists of conflict in dialogue and interactions and 'do no harm policy' will be espoused, practiced and advocated by the project. In this direction, ample opportunities for interface between media representatives, office chiefs/PIOs and civil society leaders will be created by the project.

Zero tolerance of corruption: The project will adopt a policy of zero tolerance on corruption and will ensure that government provisions to check corruption are applied and adhered to.

Evidence-base and feedback loop: Evidence based advocacy will be the corner stone advocacy efforts to be jointly undertaken by NIC and civil society. In this respect, NIC will accord high priority to encourage and support research work to aid evidence based advocacy. Improved RTI subsequently contributes to improving governance system by strengthening transparency. The project's main thrust is to facilitate smooth and easy access of citizens to information.

At its institutional level, NIC will give emphasis to evidence-base reporting system which will be circulated and shared with the NIC upper echelon and GF and feedback from will be collected prior to the finalization of progress reports. The application of the M & E Framework will lend support to the institutionalization of an evidenced based monitoring system. The practice of

periodical review and reflection sessions to be participated by NIC and other stakeholders and periodical interactions will strengthen the feedback loop.

Linking demand and supply: NIC strategy on the promotion of RTI encompasses two sides of the coin. On one side, there is a need to sensitize the supply side to internalize that proactive disclosure and prompt response to demand for information by the public in the long run benefits all stakeholders including themselves as transparency creates an enabling environment to discharge their responsibilities. On the other side, for the promotion of RTI to succeed it is imperative that citizens access available information and make demands for information when they feel that they do not have it. This will improve downward accountability and ultimately enhance the quality of public service delivery. The project has taken a balanced approach of linking of the supply and the demand side with activities exclusively targeting these two sides as well incorporating some activities to bring the two sides together in interactive collaborative forums.

3.13 Monitoring and Evaluation Plan

The logical framework provides an overall direction for monitoring the project. In addition, a Monitoring Evaluation Framework has been prepared specifying the result chain with indicators and milestones anticipated to be reached in each successive years of project implementation has been formulated and annexed (Annex - 2).

The Project Management and Implementation Team (PMIT) will be the key responsible mechanism within NIC to ensure monitoring and evaluation functions. A monitoring and evaluation framework will guide the monitoring of the project and formats for information collections will developed by NIC in alignment of the M & E Framework and will be used as a basic tool to collect information from monitoring activities. Besides, reports from activities of public bodies and reflection on results and lessons will be captured in periodic reports to be submitted to the Governance Facility. The PMIT will develop monthly, quarterly and annual work plan and subsequent reports covering targets and achievements.

A monitoring and evaluation plan will be developed by the end of the first month of the first year, which will be regularly reviewed and updated to track key management actions. The following key mechanisms will be in place for effective monitoring and evaluation:

Monthly Review: Monthly progress reports and work plan will be prepared by PMIT. Monthly review meetings will review the reports and work plan and finalize these. Project Manager will have major responsibility to facilitate this process, including deliverables.

Quarterly Review: Quarterly review will be carried out within next month of each quarter. This meeting will assess the performance during the respective quarter, provide feedback and suggestions, and approve the work plan for the next quarter.

Annual Review: Annual review will be carried out within the initial month of the New Year. This meeting will reflect on the achievements of the last year and identify priorities for the year ahead.

End-of-project Evaluation: An external end-of-project evaluation will be carried out by the last quarter of the project.

Project Completion Workshop: Following the evaluation, a completion workshop will be conducted to consolidate achievements, challenges faced and the lessons learned by the project. At the same time, the project's closure message will be disseminated to concerned stakeholders.

3.14 Risks and Management Plan

Following are some of the major risks and management measures of the project.

SN	Major risks	Management measures
1.	High staff turnover in NIC	NIC will actively work with the OPMCM and concerned ministries to receive staff that have shown interests to involve in RTI works and offer trainings and other carrier path opportunities to retain them.
2.	Low motivation of NIC staff	Opportunities for training and capacity building on RTI will offer NIC staff a good motivation and incentive.
3.	Unwillingness of GoN to make implementation of RTI Act as a priority	NIC through its advocacy and collaboration with civil society will actively work with the government including the OPMCM to garner government support.
4.	Uncertainty of adequate resources for RTI initiatives	Efforts will be made to get greater funding from the Ministry of Finance as well.
5.	High turnover of PIOs	Advocacy and lobbying for special incentive to PIOs
6..	Low Motivation of PIOs	Opportunities for capacity building training and felicitation/award on result based performance of PIOs.
7.	Digitization of information management is likely to be a slow and cumbersome process	Concerted advocacy and lobby efforts by RTI promoters for digitization of public bodies having large public interface.
8.	Political Instability	Project schedule will be revised to carry out activities in less affected districts
9.	High turnover of PMIT staff	Staff motivation and development will be accorded priority
10	Slow decision making process in NIC	Substantial portion of the SAPPI's effort and time will be expended on coordination and facilitation of decision making. Full time project manager from NIC with appropriate delegation of authority.

3.15 Sustainability and Phase-out Plan

The project builds on the inception phase and previous experience and achievements of NIC and civil society actors working in RTI sector. More recently, primarily in the past three-four years, there has been a very good experience of NIC in promoting RTI and developing mechanisms for protection of this right. However, these achievements are at the initial stage and need follow-on interventions. In this sense, RTI realization is a gradual progress to achieve.

NIC and CSO stakeholders, who are involved in promoting and protecting RTI, have a standard framework of the National Strategic Plan of Action that provides a clear, achievable and practical way out for translating policies into practice and for building up infrastructures that create enabling environment for RTI implementation both from the demand and supply side perspectives. This project takes into account these priorities.

As outlined in the Theory of Change above, the intervention approach of this project is to focusing both on supply and demand sides as well as strengthening the oversight function. This framework provides a strong foundation for ensuring sustainability of the project from the very beginning. In this effect, the project will focus on institutional capacity strengthening of NIC and selected public bodies, and then gradually reaching out to other key stakeholder agencies.

Given that most people are unaware about RTI, NIC has been implementing an advocacy and outreach strategy. There have been a few good progresses at various levels of the government, such as the Nodal Office at OPMCM and PIOs at district level offices. These will add value to the works of NIC to institutionalize RTI obligations across the government structures. NIC has also made a good ground for policy/legal changes. Continued advocacy and support to bring positive changes in state policies will also be a focus area of this project. Capacity building support to seven major ministries and their local offices in 38 districts, half of Nepal's total districts, will have a good significance for sustaining the project results.

On the demand side, NIC has devised an approach to establish functional collaboration with other RTI promoters – e.g. CSO networks – through which greater outreach and public empowerment will be ensured. With stronger capacity, CSO RTI promoters will be able to complement NIC works and focus more on strengthening demand side capacity, bridging the communication gaps and working as facilitators of constructive engagement between the state and citizens for greater voice and more responsive accountability. These capabilities across the state and citizen levels and in the policies and practice fronts will provide a sound basis for the sustainability of the results beyond the project life.

NIC's contribution and ownership: To achieve the broader NSPA goal and project goal, NIC planned to contribute and compliment the project activities. NIC has budget allocation on interaction program on RTI orientation/awareness in 21 districts; RTI Monitoring through Regional Postal Directorates/District Post Offices in 75 districts; IEC materials production, printing & dissemination; PSA Broadcast; RTI Documentary/Songs Broadcast through national television; RTI Audit of Ministries; Bulk SMS and ToT. These activities were conducted in the inception phase and have been continued as NIC's program activities. Altogether, the allocated amount for the fiscal year 2015/2016 is NRs.14,346,000 and is planned to continue in subsequent years.

IV. Project Budget

The total budget for the project for three years works out to NRS ***81,532,644***. This is proposed to be financed through:

Total Project Cost: NRS ***81,532,644***

The breakdown of annual budget is attached as Annex 3 (Excel File). The summary of the project budget is presented below:

Particulars	***1st. Year***		***2nd. Year***		***3rd. Year***		***Total for 3 years***	
	Amount	***Percentage (%)***	***Amount***	***Percentage (%)***	***Amount***	***Percentage (%)***	***Amount***	***Percentage (%)***
Output 1	***4,785,000***	***17%***	***5,010,000***	***18%***	***5,010,000***	***17%***	***14,805,000***	***18%***
Output 2	***4,550,000***	***16%***	***4,650,000***	***17%***	***4,350,000***	***16%***	***13,550,000***	***17%***
Output 3	***6,261,250***	***23%***	***4,123,000***	***12%***	***4,256,000***	***11%***	***14,640,250***	***18%***
Review, Monitoring & Evaluations	***1,451,000***	***5%***	***1,101,000***	***6%***	***1,401,000***	***9%***	***3,953,000***	***5%***
Human Resources	***6,704,725***	***24%***	***8,515,782***	***35%***	***9,111,887***	***37%***	***24,332,394***	***30%***
Capital Cost/Equipment	***1,430,000***	***5%***	***260,000***	***2%***	***-***	***0%***	***1,690,000***	***2%***
OFFICE RUNNING COST	***2,570,000***	***9%***	***2,960,000***	***11%***	***3,032,000***	***10%***	***8,562,000***	***11%***
Total Project Cost	***27,751,975***	***100%***	***26,619,782***	***1.00***	***27,160,887***	***100%***	***81,532,644***	***100 %***

Annexes

Annex 1	**Project Log frame**
Annex 2	**Results-based M&E Framework**
Annex 3	**Detailed Budget Format**