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# **RTI ACT'S IMPACT ON TRANSPARENCY AND ACCOUNTABILITY IN GOVERNANCE**

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## **ABSTRACT**

The Right to Information is essential for promoting accountability and transparency. It was established after India gained independence and adopted a participatory democratic government that ensures transparency for its citizens. In 2005, the Right to Information Act was enacted to enhance transparency and accountability within the government system. This act helps reduce corruption and contributes to good governance. This research paper explores the importance of the Right to Information in fostering an accountable and transparent government.

**KEYWORDS:** RTI, Accountability, transparency, participatory democracy, good governance

## **INTRODUCTION**

India, being the world's largest participatory democratic country, empowers its citizens with the right to information in the legislative form of the Right to Information Act, 2005. This law came into force across India, except for Jammu and Kashmir, on October 12, 2005. However, on October 31, 2019, the law also came into force in Jammu and Kashmir. The act was enacted headed by the former Prime Minister Dr. Manmohan Singh, and it empowers the citizens of India to act against wrongful administration, corruption, and malpractice in governance. It has significantly changed the way the government functions, providing access to information related to government and administrative matters to every citizen/common man.

The Right to Information Act ensures that citizens are provided with a wide range of information held by public/administrative authorities, subject to certain exceptions. In the popular case of \*Raj Narain vs. State of Uttar Pradesh (1975 AIR 865)\*, the Supreme Court held that the right to information is an integral part of Article 19 of the Constitution. India

enacted this landmark law due to various campaigns, replacing the Freedom of Information Act of 2002.

The right to Information Act is also considered an index for measuring a country's growth. The right to information was first enacted in Sweden in 1766, followed by the United States, Norway, and others. In the case of S.P. Gupta vs. Union of India, the Supreme Court held that citizens have the right to know about the functioning of the government. Similarly, in the case of Prabhu Datt vs. Union of India, the Supreme Court held that the right to news and information regarding government administration is inclusive of the right to press. Numerous cases have reiterated the right to access information<sup>1</sup>.

### **AIM AND OBJECTIVE OF THE STUDY**

- To study the effective implementation of rti act<sup>2</sup>
- To study various effective new methods for the implementation and enforcement of right to information act
- To examine the connection between right to information and good governance
- To analyse the impact of RTI act on reducing corruption
- To study the barriers and challenges in the implementation of RTI act

### **FEATURES OF THE RIGHT TO INFORMATION ACT AND IT'S WORKING PROCESS**

The RTI process discloses information and also allows for inspections of this information, which can be in various forms, such as documents, emails, press releases, circulars, notices, records, contracts, tapes, videos, floppies, cassettes, etc. Under this act, each public authority or partial public authority appoints a Public Information Officer (PIO) and an Assistant Public Information Officer (APIO) to disclose information to the public. The applicant must submit an application with a fee of Rs. 10 (this fee is exempted for people below the poverty line, SC, and ST) to the PIO to acquire the required information. The PIO is responsible for providing the information within the stipulated time.

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<sup>1</sup> Dr jeet ram sharma, the impact of right to information (RTI) on government accountability, international journal of political science and governance,2021;3(2): 55-60

<sup>2</sup>

There is no specific format for filing the application, but it must include the applicant's name and address, the information required, and the name and position of the PIO. If the PIO exceeds the time limit, the applicant has the right to appeal to the First Appellate Authority, who must provide the information within 30 days under Section 19(1) of the RTI Act. If the First Appellate Authority also fails to respond within the time limit, the applicant can file a second appeal against the PIO to the Information Commission, which is a quasi-judicial authority. The commission can conduct inquiries similar to a civil court and may impose a penalty of Rs. 250 per day, with the total penalty not exceeding Rs. 25,000.<sup>3</sup>

### **IMPACT OF RTI ACT ON ADMINISTRATION**

Under the Right to Information (RTI) Act, a lot of people are benefiting from it. It has been used by individuals as a tool to obtain their passports, pensions, income tax returns, ration cards, and death and birth certificates, among other services. It is also used by people with disabilities, the elderly, and those below the poverty line. However, the RTI Act exempts certain organizations under the purview of the second schedule, with 25 government organizations, such as the Enforcement Directorate, intelligence agencies, and the Special Service Bureau, being exempt. The major impacts include improvements in accountability and transparency in government performance, as well as a reduction in corruption within government organizations. The officials make better decisions, and it empowers citizens. However, it has also increased the workload for the government.

### **THE NEED FOR RTI FOR GOOD GOVERNANCE**

As discussed earlier, the enactment of the RTI Act is considered a landmark in the history of public administration, especially in rural areas, where it is most helpful in eradicating corruption. Before this act, the accountability and transparency of public authorities were minimal, and people in a participatory democratic government had no legal right to know the processes being followed for framing policies that affected them. They also lacked information on how these policies were implemented and who was associated with these programs, which led to a lack of openness and accountability.

For good governance, four key elements are necessary: transparency, accountability, participation, and practicability. To fulfill these elements, the public should have access to all

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relevant information and clarity regarding the functioning of the government. This can be achieved through the Right to Information Act, as good governance and the right to information complement each other.

## **PUBLIC AWARENESS AND GOVERNMENT OUTREACH**

As we know, the Right to Information (RTI) Act has provided citizens with the right to access government information to enhance transparency and accountability. However, the full potential of RTI can only be realized when the public is aware of it, and its success largely depends on this awareness. To make RTI effective, the government organizes campaigns to increase citizen awareness. This can involve collaboration with NGOs, media campaigns, online resources, RTI helplines, and feedback mechanisms. Additionally, penalties are imposed on authorities who fail to comply with the law. Only when citizens are aware of the RTI Act will government functions be transparent and effective, leading to greater participation in governance. The implementation of RTI varies from one jurisdiction to another, depending on various circumstances.

### **RTI law on citizens engagement in public administration**

The Right to Information (RTI) Act has had a major impact on citizens' active engagement in administration. It encourages citizens to take part in governance by equipping them with the information necessary for participation in public debates and the decision-making process. This engagement is the cornerstone of participatory democracy, as it helps in scrutinizing administrative policies and decisions, contributing to transparency and enhancing public trust.

The RTI Act also fosters civil activism by enabling various advocacy groups, NGOs, and activists to access information for campaigning and holding authorities accountable. This process helps expose corruption, malpractice, and misuse of power, which can lead to public outrage.

Furthermore, the RTI Act allows citizens to verify whether services such as health, education, public works, etc., are being properly delivered and ensures the quality of these services. This promotes accountability, encouraging the government to make more informed decisions, as their actions can easily be scrutinized by the public.

The RTI can also be used to access information related to land use, pollution, water disputes,

dam projects, and other development projects, allowing citizens to address environmental issues and challenge unjust policies and frameworks. When citizens in a participatory democracy are well-informed, they can better understand the implications of policies and engage in informed debates. This promotes evidence-based decision-making by public administrative authorities.

## **BARRIERS AND CHALLENGES**

There are various barriers and challenges in implementing this. First, there is a lack of awareness and education among the public, so they might not be fully aware of the act, how the system works, or how to use it. Secondly, there are exemptions related to certain information, such as information concerning national security or private matters, which could be misused. Thirdly, bureaucratic resistance is an issue, as many public authorities may not want to disclose or expose their wrongdoings, leading to intentional delays in processing requests. Fourthly, there is inadequate infrastructure. Lastly, political interference also plays a role

## **SUGGESTIONS**

The technicalities and procedures involved in filing an RTI application should be simplified, as the literacy rate in many rural areas is low. This makes it challenging for people in these regions to navigate the process. A phone-based system could be introduced, making it easier and more accessible for illiterate citizens. Furthermore, the current disposal rate of RTI applications is very low, and if the process is not effective, the objectives of the Act will not be fulfilled. Therefore, the implementation process needs to be faster.

To enhance its effectiveness, digital platforms can be utilized. Another crucial method is for the government to implement open data initiatives, where large datasets regarding decisions, project expenditures, and more are regularly released. This would help reduce the number of RTI applications. Although the RTI Act has helped reduce corruption, there are still several drawbacks, such as frequent denials, lack of public awareness, and an overload of applications.

To address these issues, countries like the UK and Mexico have independent commissioners to ensure transparency and accountability within public authorities. While India has an Information Commission, it lacks sufficient power. Strengthening this body would make the

RTI Act more effective. In Mexico, information is disclosed within a short period, and in countries like Canada and New Zealand, administrative authorities are required to disclose a wide range of information online. Such practices could also be implemented in India.

These are some suggestions that could improve the effectiveness of the RTI Act in India.

## CONCLUSION

Implementing this law stringently depends not only on political parties but also on the citizens of the country. Mere protests against it cannot ensure effective implementation in India; citizens must also encourage and participate in taking these initiatives. The Right to Information (RTI) Act is one of the most powerful tools for enhancing accountability, public engagement, evidence-based information, and transparency in government administration. It also helps strengthen participatory democracy and promote good governance.

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