
RTI ACT 2005: A MECHANISM OF TRANSPARENCY FOR PUBLIC

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ABSTRACT

The Right to Information (RTI) Act of 2005 serves as a pivotal legislative tool aimed at fostering transparency, accountability, and public participation in governance. This study explores the effectiveness of the RTI Act in promoting good governance and its potential for reducing corruption, empowering citizens, and driving economic growth. Utilizing the doctrinal research method, the study draws from various government websites, journals, books, and articles to assess how the RTI Act has shaped democratic processes in India. The research objectives include examining the RTI's role in enhancing governance, evaluating its impact on corruption reduction, and fostering greater public participation.

The findings underscore the importance of widespread awareness, education, and capacity-building among government officials and the public for the RTI Act to achieve its full potential. Recommendations include launching awareness campaigns, modernizing record-keeping systems, and improving infrastructure to ensure efficient information access. Additionally, the study emphasizes the need for legal and security measures to protect RTI activists and support political and bureaucratic accountability.

The study concludes that the RTI Act has significantly contributed to transparency and accountability, making public officials answerable and enabling citizens to challenge corruption. The positive impact of RTI, exemplified by the reduction of corruption in Bihar, highlights its potential as a catalyst for good governance and economic development. By empowering citizens and fostering trust between the public and government, the RTI Act serves as a key mechanism for enhancing democratic governance in India.

Keywords: RTI Act 2005, Transparency, Accountability, Good Governance, Corruption Reduction, Public Participation

1. Introduction:

1.1 Background of the study:

The Right to Information (RTI) Act, which was passed in 2005, was a major step forward in India's democratic history. It confirmed that people have the basic right to see information kept by the government. The RTI Act became a powerful tool for promoting good government and fighting crime because it was based on the ideas of openness, accountability, and giving people power¹. Its adoption marked a move toward a more open and accountable system of government, with the goal of closing the information gap between the people and the government. India's efforts to be open and accountable began before the RTI Act². The Official Secrets Act was passed in 1923 and was the first step in a long line of actions. However, these efforts did not have the legal support and political support they needed to be carried out effectively. In the late 20th century, the need for a complete Right to Information law grew thanks to grassroots movements, activism from civil society, and court decisions that recognized the RTI as an important part of freedom of expression and speech³.

1.2 Evolution of RTI in India:

- *Historical Perspective:*

The pursuit of transparency and answerability in India can be traced back to its pre-independence era, with the roots of the right to information planted during the struggle against colonial rule. Early movements for independence and self-rule underscored the significance of information access as a tool to challenge oppressive regimes and empower the populace. Following independence, endeavors to institutionalize the right to information gained traction, albeit in a fragmented manner, with occasional legislative measures and administrative directives aimed at fostering openness in governance. A pivotal moment in India's progression towards acknowledging the RTI occurred with the passage of the FOI Act in 2002. While this legislation was limited in scope and application, it laid the groundwork for a more comprehensive legal framework that would later evolve into the Right to Information Act⁴. The Freedom of Information Act represented a significant departure from the preceding culture of

¹ Borah, S. K. (2013). Right to Information Act: a key to good governance. *International Journal of Humanities and Social Science Invention*, 2(2), 11-22.

² Ghosh, S. (2018). Accountability, democratisation and the right to information in India. *Asian Studies Review*, 42(4), 626-647.

³ McCann, M. (2004). Law and social movements. *The Blackwell companion to law and society*, 506, 509.

⁴ Archana, A., & Venugopal, B. (2024). ANALYZING OPENNESS: AN IN-DEPTH EVALUATION OF THE RIGHT TO INFORMATION ACT AND ITS IMPACTS ON EFFECTIVE GOVERNANCE IN INDIA.

secrecy, asserting the principle that The public has the right to obtain government documents and data that are kept by public organizations.



Source: Exemptions Under Rti Act- A Comparative Study⁵

- *Legislative Framework:*

The RTI Act of 2005 ushered in a fresh era of openness and answerability in India's governance landscape. The RTI Act, which was enacted on the 12th of October 2005, was the result of decades of lobbying, public hearings, and court decisions that acknowledged the RTI as a fundamental freedom that is necessary for a healthy democracy. The Act aimed to institutionalize the right to information, establishing it as a legally guaranteed entitlement accessible to every individual. The legislative process leading to the enactment of the RTI Act was characterized by extensive discussions, consultations with stakeholders, and amendments aimed at striking a balance between the imperative of transparency and the legitimate concerns of public authorities⁶. The Act underwent multiple revisions before its eventual passage, reflecting the intricate interplay of political, social, and administrative dynamics shaping India's governance structure. Key aspects of the RTI Act include provisions for the appointment of Public Information Officers (PIOs) in public bodies, the establishment of Information Commissions at both central and state levels, and mechanisms for submitting and resolving

⁵ <https://ijlr.iledu.in/exemptions-under-rti-act-a-comparative-study/>

⁶ Moitra, S. (2019). *Right to information act, 2005: implication, impediments and challenges* (Doctoral dissertation, University of North Bengal).

RTI requests. Additionally, the Act outlines categories of information exempt from disclosure, balancing the necessity of transparency with the imperative to safeguard sensitive information in the public interest.

1.4 CORRUPTION IN INDIA

One significant problem that has a negative impact on India's economy is corruption. Based to a 2005 Transparency International study, over 62% of Indians have personal experience of employing influence peddling or paying bribes to get jobs in government institutions. According to a 2008 poll by Transparency International, around 40% of Indians had personal experience using a contact or paying bribes to get a work done in public office. India tied with Benin, Colombia, Djibouti, Greece, Moldova, Mongolia, and Senegal for 94th place out of 176 nations in Transparency International's Corruption Perceptions Index in 2012. India came in at number 94 out of 175 nations in 2013.

With respect to its neighbors, Bhutan (26th), Bangladesh (145th), Myanmar (136th), China (79th), Nepal (131th), Pakistan (116th), and Sri Lanka (95th), India was ranked 85th out of 175 countries in 2014 and 79th out of 176 countries in the Transparency International Corruption Perceptions Index in 2016. According to a Transparency International (TI) study conducted in India in 2005, over 50% of respondents had personal experience using influence or paying inducements to get a position in a public office. Between states, taxes and bribes are frequent; according to Transparency International, truckers pay \$5 billion in bribes each year. A lot of state property is stolen by officials. In Bihar, over 80% of the subsidized food that are given to the needy are stolen. In Indian politics and bureaucracy, corruption has become a major problem. A whole generation between the 1950s and the 1980s, saw socialist-inspired policies dominate the Indian economy. Slow development and widespread corruption resulted from the economy's shackling by public ownership, protectionism, and excessive regulation. A monopoly by government-organized institutions on the delivery of specific goods and services, several government agencies with discretionary powers and opaque bureaucracy, an overabundance of laws, complicated licensing and taxation systems, and a lack of transparent laws and procedures are some of the factors contributing to corruption in India. In India, there are notable differences in the degree of corporate involvement and state government initiatives to combat corruption. The Indian government's social distribution plans and entitlement programs are the main causes of corruption in the country. MANREGA and NRHM are two examples. The trucking sector in India, which is required to contribute billions in bribes each

year to various police and regulatory stops on its interstate roads, is another everyday source of corruption. This decision was rendered by a bench consisting of Justices R. V. Raveendran and A. K. Patnaik, who permitted the release of student answer sheets from public exams. The Bench asserts that the RTI Act's provisions should be strictly enforced and that every effort should be made to supply the data mandated by section 4(4)(b)⁷, which has to do with ensuring accountability and transparency in government agency operations and deterring corruption.

1.4.1 Impact of Corruption on Governance

The largest obstacle in the way of progress is corruption. Common people are the worst culprits of corruption in government and administration. Both the federal government and state governments have spent hundreds of thousands of crores of rupees on different projects and schemes over the years. If these money had been distributed properly and without leaking at all levels, we could have long since addressed many of our problems in healthcare, education, housing, and other areas of social development. Numerous infrastructure constraints that are negatively impacting our economy would have been eliminated by India. Most importantly, unemployment and poverty, which have denied millions of our citizens the chance to live decent lives, should have been more effectively addressed in India.

Corruption is a threat to democracy as well as to progress and sound governance. Our democratic process is weakened by the lack of accountability and transparency in administration and governance as well as the powerlessness of our people. A developed democracy needs strong checks and balances to prevent public officials from abusing their position of authority for personal gain.

Widespread corruption over the last few decades has fostered disdain for the law. People have become generally cynical as a result of the law's inability to apprehend corrupt officials and then punish them in a way that deters future corruption. Additionally, it has caused moral ideals to erode across society. Even Kautiliya way back in 200 B.C. remarked, "Just as it is impossible not to taste honey or poison when it is at the tip of the tongue, so it is impossible for a government servant not to eat up a bit of revenue. And just as it cannot be found out whether a fish swimming through water drinks or not, so government servants cannot be found out while taking money for themselves"⁸. Everyone is blaming other people or parties for corruption

⁷[https://indiankanoon.org/doc/152150353/#:~:text=\(b\)%20\(i\)permitted,interest%20of%20State%2C%20may%20prescribe.](https://indiankanoon.org/doc/152150353/#:~:text=(b)%20(i)permitted,interest%20of%20State%2C%20may%20prescribe.)

⁸ Goel S.L. Good Governance- An Integral Approach, New Delhi: Deep & Deep Publications Pvt. Ltd. (2007) P193-219

these days, but there is no remedy.

In India, the process of sound economic growth and progress has been severely impeded and substantially perforated by corruption. No one appears to be exempt from the negative consequences, from political bosses to the lowest level of bureaucratic employees. Such a claim only draws attention to the aforementioned widespread state of affairs and does not suggest that everyone is corrupt. In various spheres of life, even a sacred individual is sufficiently constrained to succumb to its loud pressure and feels the sting of this panic². Both the federal and state governments share the concern for good governance and are working to ensure that all levels of government are responsive, responsible, transparent, decentralized, and user-friendly. Even while the amount of money spent on administration keeps rising, there is still a great deal of annoyance and discontent among the populace, particularly the weaker segments of society, regarding the indifference, lack of response, and lack of accountability of public employees. Concern over the rise in crime and corruption in public life and government is growing. The public, especially the most vulnerable, is likewise very concerned about the decline in the effectiveness of law enforcement and crime investigative organizations. Their confidence in the quick investigation, registration of offenses, and prompt administration of justice has been undermined. This is a blatant indication of declining governance. The moment has therefore arrived for a clear message to be sent out that government is for the people, not the public employees. A shift in perspective is required, and public employees should understand that public satisfaction—rather than the services' claimed benefits—will be used to gauge efficiency⁹.

Therefore the study aims to explore how the RTI Act enhances transparency and accountability in government by providing citizens with the right to access public information. It examines the mechanisms of the Act, its impact on governance, and the challenges faced in its implementation to promote an informed and participatory democracy.

2. LITERATURE REVIEW

Transparency:

Transparency, according to Mitchell (1998: 109)¹⁰, is the regular and accurate distribution of information. To put it simply, a transparent political system is one that either allows for the

⁹ Haque, M. S. (2001). The diminishing publicness of public service under the current mode of governance. *Public administration review*, 61(1), 65-82.

¹⁰ Mitchell, R. B. (1998). Sources of transparency: Information systems in international regimes. *International Studies Quarterly*, 42(1), 109-130.

collection and dissemination of accurate information about itself, its activities, and the nation at large, or supplies it itself. “Openness toward the public at large regarding government structure and functions, fiscal policy intentions, public sector accounts, and projections” is what Kopits and Craig (1998)¹¹ characterise as transparency. For the public as well as financial markets to assess the government's financial health and the actual costs and benefits associated with government operations, such as their immediate and future economic and social ramifications, it is necessary to have easy access to trustworthy, thorough, timely, intelligible, and globally comparable information on government operations.

Vishwanath and Kaufmann (1999)¹² observe transparency as the “increased flow of timely and reliable economic, social and political information, which is accessible to all relevant stakeholders.” Bellver and Kaufman (2005) pursue Florini (1999), doing the research that is thought to be essential to comprehending transparency: “the release of information by institutions that is relevant to evaluating those institutions”¹³. As Bellver and Kaufman (2005, 5) put it, “Because transparency is a tool to facilitate the evaluation of public institutions, the information provided needs to account for their performance.” Transparency within a company can be gauged by the “depth of access it allows,” “the depth of knowledge about processes it is willing to reveal,” and the “attention to citizen response” it provides¹⁴. “The more transparent an organization is (via its web site or otherwise), the more it is willing to allow citizens to monitor its performance and to participate in its policy processes”.

Event, process, real-time, and retrospective transparency¹⁵ are all included in the concept of transparency. Transparent decisions should be “clear, integrated into a broader context, logical and rational, accessible, truthful and accurate, open (involve stakeholders), and accountable.”¹⁶

Accountability:

Accountability, a fundamental aspect of the RTI, serves as a crucial mechanism to hold individuals responsible for their performance in governance. It ensures that representatives are answerable to the citizens for their actions, aligning the legality of their actions with the public's

¹¹ Craig, M. J., & Kopits, M. G. (1998). *Transparency in government operations*. International monetary fund.

¹² Vishwanath, T. (1999). *Towards Transparency in Finance and Governance*. Working Paper.

¹³ Florini, A. (2007). Introduction. The battle over transparency. In *The right to know: Transparency for an open world* (pp. 1-16). Columbia University Press.

¹⁴ Curtin, D., & Meijer, A. J. (2006). Does transparency strengthen legitimacy?. *Information polity*, 11(2), 109-122.

¹⁵ Hood, C. (2007). What happens when transparency meets blame-avoidance?. *Public Management Review*, 9(2), 191-210.

¹⁶ Drew, C. H., & Nyerges, T. L. (2004). Transparency of environmental decision making: A case study of soil cleanup inside the Hanford 100 area. *Journal of risk research*, 7(1), 33-71.

desire to seek explanations. Accountability is of utmost importance because when governments are granted authority, it is implicit that they are accountable to the people, not solely empowered to share selective information at their discretion. Independent institutions, such as the National Accountability Bureau (NAB) in Pakistan, play a vital role in facilitating this accountability process¹⁷. Sharma highlights that representatives, acting as agents of the electorates or principals in a democratic system, must be subject to a mechanism that holds them accountable for their actions before those who have elected them¹⁸.

Similarly, in her academic work, Jennifer Shkabatur emphasizes accountability as the ultimate objective of the RTI, declaring that in a democracy, the community should have the right to influence the course of government and demand responsibility from their representatives. Accountability comprises two key components: explanation and justification¹⁹.

The writer explores the integral relationship between accountability and the RTI, acknowledging that while the RTI alone does not automatically ensure accountability, it is an essential element. Accountability can be understood in various contexts, such as making public functionaries answerable for their actions and holding them accountable through elections conducted by voters²⁰. In summary, accountability is an indispensable element of any democracy²¹.

The Inextricable link between Transparency and Accountability:

Accountability and transparency are mutually supportive. Essentially, "accountability" refers to three key components: enforcement, or the potential consequences that could be applied if the action or justification for action is determined to be inadequate; responsiveness, or the ability of those in charge to respond to demands;²² and dependence, or the need for justification for actions²³.

¹⁷ Lidberg, J. (2006). *'Keeping the bastards honest': the promise and practice of freedom of information legislation* (Doctoral dissertation, Murdoch University).

¹⁸ Sharma, P. (2012). *The right to information act in India: The turbid world of transparency reforms* (Doctoral dissertation, London School of Economics and Political Science).

¹⁹ Shkabatur, J. (2012). Transparency with (out) accountability: Open government in the United States. *Yale L. & Pol'y Rev.*, 31, 79.

²⁰ Jenkins, R., & Goetz, A. M. (1999). Accounts and accountability: theoretical implications of the right-to-information movement in India. *Third world quarterly*, 20(3), 603-622.

²¹ Adorno, S., & Cardia, N. (2013). The Importance of access to information, past and present: human rights in contemporary Brazil. *American International Journal of Social Science*, 2(8), 20-29.

²² Schedler, A., Diamond, L. J., & Plattner, M. F. (Eds.). (1999). *The self-restraining state: power and accountability in new democracies*. Lynne Rienner Publishers

²³ Posani, B., & Aiyar, Y. (2009). State of Accountability: Evolution, Practice and Emerging Questions in. In *AI Working Paper* (p. 2).

The concept of transparency is weaved across these fundamental components and is described as “the degree to which information is available to outsiders that enables them to make informed decisions and or to assess the information made by insiders”²⁴

According to this view, the two are related along two axes: transparency of information is necessary to demand accountability since without it, citizens cannot perceive the excesses that the state is doing. It's also believed that encouraging people to speak up requires greater transparency in information. Voice power is the capacity of citizens to put pressure on frontline officials to guarantee effective service delivery²⁵. Special attention has been paid to how transparency might improve “say” and “engagement”. The incentive structure of frontline providers is thought to be strengthened as a result of citizens being mobilized for collective action through information access (ibid). In summary, the recurring pattern appears to be that increased transparency breeds empowerment, which strengthens “voice” in the context of increased involvement, and that asserting one's voice breeds accountability²⁶.

Mendel (2004) outlines the comparative and international norms that ought to guide laws pertaining to freedom of information²⁷:

- **Principles 1:** Maximum Disclosure and
- **Principle 2:** Publication Obligation.
- **Principle 3:** The encouragement of open government. Open government must be aggressively promoted by public entities.
- **Principle 4:** The restricted scope of exceptions. The definition of an exception should be precise and limited, and it must pass the rigorous "harm" and "public interest" tests.
- **Principle 5:** Procedure for Enabling Access. Information requests should be handled promptly and equitably, and any denial should be subject to an impartial assessment.
- **Principle 6:** Exorbitant fees shouldn't discourage people from requesting

²⁴ Florini, A. (2007). Introduction. The battle over transparency. In *The right to know: Transparency for an open world* (pp. 1-16). Columbia University Press.

²⁵ <https://peoplebuildingbettercities.org/wp-content/uploads/2013/04/Goetz-Gaventa-2004.pdf>

²⁶ Aiyar, Y., & Walton, M. (2015). Rights, accountability and citizenship: India's emerging welfare state. In *Governance in developing Asia* (pp. 260-295). Edward Elgar Publishing.

²⁷ Mendel, T. (2003). Freedom of information: a comparative legal survey.

information.

- **Principle 7:** The public shall be able to attend meetings of public bodies.
- **Principle 8:** Priority is given to disclosure.
- **Principle 9:** Whistleblower protection.

3. Research Methodology

This research employs the doctrinal method, drawing primarily from government websites, articles, journals, and books as its main sources. The study places a significant emphasis on how the RTI Act 2005 promotes transparency and accountability in government, empowering citizens by granting access to information and helping to reduce corruption. The research adheres to proper citation and formatting standards throughout the paper.

3.1 Objectives and Purpose of the Study:

The RTI Act of 2005 stands as a transformative legislative tool aimed at enhancing transparency, accountability, and citizen participation in governance. The following objectives guide the research, focusing on the multifaceted role of RTI in shaping an informed, accountable, and participatory democratic society.

- a. Empowering Citizens and Enhancing Governance through the RTI Act 2005.
- b. To examine the effectiveness of RTI as a tool for reducing corruption.
- c. To evaluate the impact of the RTI Act on public participation in governance.
- d. To examine the impact of the RTI Act on fostering good governance and its link to economic growth.

4. CONTENT ANALYSIS

4.1 Encouraging Citizens: The RTI Act of 2005 as a Foundation for Accountability and Transparency:

Information, which gives thoughts and words shape, comes from having information. We have the right to free speech and expression thanks to Article 19 of the Indian Constitution²⁸. You have the right to know because it is a basic right. People who worked for MKSS started a large-

²⁸ Keswani, S. (2024). Constitutional Challenges to Freedom of Speech in India: A Study on the Balance between Freedom of Expression and Reasonable Restrictions under Article 19 of the Indian Constitution. *The Indian Journal of Legal Affairs and Research*, 1(2), 01-19.

scale action in 2004 in the small town of Bewaar in Rajasthan. They wanted to know what was going on.

Finally, in 2005, the RTI act was made law. Article 21 says that everyone has the right to life, and RTI is a part of that²⁹. RTI says that anyone has the right to ask the government for information and get it right away. They don't have to explain why they want the information; it's their basic right. Everyone has the right to information, no matter what age, sex, or income status they are. It doesn't matter if the information directly affects someone's private life. People in India have the right to know what their government is doing because our country has a democratic government that works for the people. This means that the information the government shares should also be known by the people so that the government is accountable to the people for what it does and corruption is reduced. Democrats shouldn't just think of democracy as a form of government in which people can only really participate by voting every so often³⁰. It should also include ways for people to be involved in how it works and be held accountable.

After 10 years, the RTI act has made a big difference in making the government more open and accountable. That's also a good way for people to get government information, which was the main point of the act in the first place. The RTI rule has many ways for people to learn about what the government is doing. Along with the duty to reveal or share information, there is also the duty to furnish. RTI is not only a rule, but also a big part of society that has helped make good things happen³¹. People can use it to find information that they can use to hold the government responsible or find out why decisions were made by whom and how they turned out.

Any public body can be asked to explain the reasons behind its administrative and quasi-judicial decisions by anyone who wants to know more. Because section 4(1)(d) of the act says this has to be done, no choice can be made at chance³². People changed how they thought and acted so much because of it that it became a threat to the government. It's against the law to give people information, and if you do, you could get fined or even go to jail.

²⁹ Dayal, K. (2023). Right to Life and Personal Liberty: A Short Study. *Issue 2 Indian JL & Legal Rsch.*, 5, 1.

³⁰ Uslander, E. M. (1999). Democracy and social capital. *Democracy and trust*, 121, 150.

³¹ Greenwood, C. R., Bradfield, T., Kaminski, R., Linas, M., Carta, J. J., & Nylander, D. (2011). The response to intervention (RTI) approach in early childhood. *Focus on Exceptional Children*, 43(9), 1-22.

³² Vats, P. (2023). THE DARK SIDE OF TRANSPARENCY: AN ANALYSIS OF MISUSE OF SECTION 8 (1)(a) OF THE RTI ACT. Available at SSRN 4660239.

4.2 The Right to Information Act of 2005's Effects: An Instrument for Accountability and Transparency in Governance:

The largest democracy in the world, India, has led the charge to grant its citizens the right to information³³. The Right to Information Act of 2005 formalises this legislation. The way the government functions, how citizens engage with it, and—above all—the accountability of public servants have all been significantly impacted. Under Indian law, the Right to Information is more than just a legal clause; it is a major change in the way things are run. This huge piece of legislation has started a new age of openness, participation, and accountability, which has made people smarter and more careful. The idea behind "RTI" is "Right to Information." Right to Information is a strong way to make the government more open and responsible³⁴.

While giving people the right to receive government information, the RTI Act 2005 is an important law in India that changed the way the country is governed. It gives people access to information, lets them check out what the government is doing, and lets them take part in the political process. It is a body of legislation that grants citizens the right to view data held by government agencies or public entities. RTI regulations ensure that everyone has the right to view a large amount of information stored by the government, unless there are special restrictions for particular categories of information (such as personal privacy or national security).

The Act makes government institutions more open by letting people see official records, files, and papers. This makes government processes easier to look over. Public citizens can ask government agencies for information, and those agencies are required to give it to them as soon as possible. The RTI Act is a powerful tool in the fight against corruption in government offices because it lets people find cases of wrongdoing and corruption³⁵.

4.3 Public Participation

In a democracy, the purpose of voting for citizens is to ensure full participation, and it is insufficient for their access to truth to be limited to the media, scholars, or administrators alone.

³³ Baviskar, A. (2010). Winning the right to information in India: Is knowledge power. *Citizen action and national policy reform*, 130-152.

³⁴ Gomez, M. (2019). The right to information and transformative development outcomes. *Law and Development Review*, 12(3), 837-864.

³⁵ Mehra, A., & Mehra, A. (2016). Bang of Right To Information on Good Governance (RTI Weapon to Fight Corruption in Administration). *International Journal of Multidisciplinary Approach and Studies*, 3(1).

The RTI serves as a source of empowerment for individuals, enabling them to participate in the operations of the government (*Indian Express Newspaper Bombay Ltd v Union of India 1986*)³⁶. Scholars have observed that the RTI complements and completes democracy, whether through a representative system where it acts as a continuous check on the government's functioning, or through a participatory system where the general public actively engages in the decision-making process³⁷. In both scenarios, the RTI finds its roots in the underlying democratic principles. This participation stems from the core norm of open discussion in democracy, which can only be achieved if society actively participates in policy inspections and possesses sufficient information. The higher courts in India have emphasized that correct democracy thrives when the community is allowed to contribute and perform a role in policy matters, necessitating that they are well-informed about various issues to express their opinions (*Peoples Union for Civil Liberties v Union of India 2003*)³⁸ . Furthermore, the right to participation is indispensable for achieving good governance as it directly impacts the lives of individuals. Through consultations, active involvement, recommendations, cultural norms, and behavior, individuals can effectively contribute. However, such mediums of participation can only be meaningful if participants are well-informed beforehand. In a nutshell, RTI serves as an instrumental tool, enabling individuals to participate not only during elections but every day through questioning, thereby empowering democracy ³⁹.

4.4 The Right to Information Act's contribution to India's efforts to combat corruption

The fundamental and inalienable right to information belongs to every human being. In a democratic country, everyone is entitled to freedom of expression and opinion. This right includes the ability to seek out, accept, and disseminate information and ideas via public authorities in addition to the freedom to express one's own thoughts. They have a right to know the actions and motivations of the government. People cannot carry out the role that democracy gives them and turn democracy into a truly successful participatory democracy unless they are aware of how the government operates. Citizens can live honorably in a civilized society with the aid of pertinent and readily available information. Furthermore, good governance and the

³⁶ [https://blog.ipleaders.in/indian-express-newspapers-bombay-vs-union-of-india-ors-1986/#:~:text=under%20the%20Constitution,-Judgement%20in%20Indian%20Express%20Newspapers%20\(Bombay\)%20vs.,and%20expression%20of%20the%20press.](https://blog.ipleaders.in/indian-express-newspapers-bombay-vs-union-of-india-ors-1986/#:~:text=under%20the%20Constitution,-Judgement%20in%20Indian%20Express%20Newspapers%20(Bombay)%20vs.,and%20expression%20of%20the%20press.)

³⁷ Klaaren, J. (2013). The human right to information and transparency.

³⁸ <https://indiankanoon.org/doc/31276692/#:~:text=The%20learned%20Judge%20referred%20to,right%20to%20be%20let%20alone%22> .

³⁹ Singh, A. (2013). RTI: A POWERFUL TOOL TO STRENGTHEN GOOD GOVERNANCE. *Public Administration*, 10(1), 36.

right to information are closely related. Only in a society that is very transparent and free from corruption can good governance be achieved. The article's subsequent sections address how RTI has created a plan to lessen corruption and promote efficient governance.

Promotes transparency: Citizens can live honorably in a civilized society with the aid of pertinent and readily available information. Furthermore, good governance and the right to information are closely related. Only in a society that is very transparent and free from corruption can good governance be achieved. The article's subsequent sections address how RTI has created a plan to lessen corruption and promote efficient governance.

- (i) **Promotes Accountability:** Accountability is another requirement for reducing corruption. Citizens can use the information they can acquire to hold the government accountable or to enquire about the reasons behind decisions, who made them, and the outcomes. This is made possible by the RTI Act. when government decisions are communicated to the public. When public officials and the general public are connected, corruption is less likely to occur.
- (ii) **Promotes Accessibility:** Access to information on government operations and service delivery enables citizens to understand their rights and know where and how to assert their rights. The RTI Act bridges the long-standing gap between the people & the government by making information easily accessible, therefore contributing to the establishment of a nation. The right to know & the ease of access to government information help citizens better understand the limitations that govern at all levels. It is the decrease in corruption that is the true impact of information.
- (iii) **Promotes participation:** Common people's engagement in the government process was made easier and encouraged by the RTI Act, which also lessens power imbalances, gives people a tool to fight injustice, and fosters a sense of community that makes democracies work for everyone. The RTI enhances democracy by assisting citizens to make political and economic decisions. As it develops into a social norm in the community, the practice of paying bribes in daily life declines and attempts to exert control.
- (iv) **Promotes empowerment:** Prior to the passage of the Right to Information Act, India was the only country with the capacity to make informed decisions and to participate in political and economic processes. Because of this, simple people are unable to oppose when their freedoms become compromised and remain unaware

of numerous programs. People are still not aware of the legal ways they can legally obtain their rights from the appropriate departments. Information was made more accessible and power was dispersed by the RTI Act. Power was made equally available to all inhabitants and is no longer restricted to a small number of people. RTI is, therefore, without a doubt a powerful instrument for empowering the average citizen.

Among the surveyed individuals, one person identified corruption as the primary issue in their nation, while approximately 53 percent believed that their governments are not effectively addressing this problem. Nearly one in three individuals attributed this failure to dishonesty and corruption among legislators. To address this challenge, countries and institutions must prioritize transparent governance and encourage citizen participation in decision-making processes to enhance accountability and scrutiny (Transparency.org 2023)⁴⁰. And Pakistan has been grappling with the issue of corruption since its establishment. A survey conducted by Transparency International reveals that a majority of the population believes that corruption is still prevalent and its severity is on the rise. Pakistan is ranked at 140 out of 180 countries in terms of corruption perception. In this context, information holds significant power and it make it an effective tool in tackling the issue of corruption. When citizens utilize their RTI as a means to curb the corruption, it becomes a powerful mechanism for accountability and transparency as well ⁴¹. Krishna and Arusha conducted a comprehensive review of 132 states from 1990 to 2011 to examine the impact of the RTI on corruption. Their findings reveal a clear conclusion: with the increase in the adoption of RTI laws, corruption tends to decrease. This is evident because of the enhanced openness and transparency it brings. They recommend that states should increase the adoption of RTI laws, and those who have already adopted it they must implement it in its unrestricted form. The rise in transparency, enabled by RTI, will contribute to the decline in corruption ⁴². Leonid Peisakhin, while recognizing the detrimental impact of corruption on the progress and development, asserts that transparency is essential in reducing corruption levels. To support his claim, he conducted a field experiment: he compares bribe-givers and RTI requesters.

⁴⁰ <https://www.transparency.org/en/cpi/2023>

⁴¹ Mungiu-Pippidi, A. (2013). The good, the bad and the ugly: Controlling corruption in the European Union. *Advanced Policy Paper for Discussion in the European Parliament*, 9, 61-63.

⁴² Vadlamannati, K. C., & Cooray, A. (2017). Transparency pays? Evaluating the effects of the freedom of information laws on perceived government corruption. *The Journal of Development Studies*, 53(1), 116-137.

4.5 RTI and Good Governance

One piece of legislation that exposes administrative secrecy is the Right to Information Act. It works well for spreading democratic ideas. The act is an effective tool for combating corruption. The Second Administrative Reform Commission had created a comprehensive plan for reforming the public administrative system after realising its importance. Right to Information: Master Key to Good Governance is the first report released by the second Administrative Reform Commission of the Indian government. The commission explicitly said in this report that information access can enable the underprivileged and marginalised groups in society to request information from the government regarding public policies and actions, ultimately resulting in the well-being of all. The right to information is complementary to good governance. Regardless of the type of government it chooses, a country must satisfy the needs of the average citizen. The only way to guarantee people's lives is through adequate government. Political accountability, freedom, bureaucratic accountability, information availability, efficacy, efficiency, cooperation between the government and society, and law-abiding citizens are all characteristics of good governance. Therefore, the RTI is a logical consequence of effective governance. The RTI Act of 2005 established an open and transparent government and grants all citizens the right to request and obtain information in order to improve administration's accountability and transparency, which is a sign of good governance. The right to knowledge is therefore a crucial component of good governance, as the World Bank once correctly stated. According to V.K. Agnihotri and B.V.R. Subrahmanyam, the right to information is a necessary but partial component of effective government. According to them, the bare minimum that citizens should demand from the government is

- Prompt, timely service.
- The least amount of red tape.
- The shortest period of waiting.
- A minimum of several officers' visits.
- The reduction of arbitrary behaviour.
- Early notification of waiting periods, delays, etc.;
- Timely notification of application status.

This study attempts to analyse the RTI and administrative transparency as a useful instrument

of good governance in the paragraph that follows.

The RTI Act guarantees participation, accessibility, accountability, openness, empowerment, equity, and efficiency—all of which are essential components of good government. The foundation of successful governance is the involvement of both men and women, since representative democracy should take into account the interests of all groups, particularly the most vulnerable, rather than just reflecting the control of a select few. The RTI Act gives individuals a continuous opportunity to engage in governance by questioning decisions and reducing the imbalance of power, enabling ordinary individuals to fight against injustice and help ensure that democracy benefits all. It guarantees public involvement in local governance and growth initiatives and fortifies democracy at the grassroots level.

By facilitating citizens' access to government departments, records, papers, and policies, the RTI Act also improves accessibility. This simple access to information helps to establish a nation by bridging the traditional divide between the people and the government. Transparency is another vital aspect of good governance, and the RTI Act ensures that government decisions are made openly, following rules and regulations. It allows the public to access information, thereby promoting accountability and transparency within the government. Although some government departments are exempt, information can still be sought in cases related to human rights violations.

Accountability, a key feature of good governance, is strengthened by the RTI Act as it allows citizens to hold both government and private sector institutions accountable. It provides a mechanism for people to access information and seek explanations about government decisions, thus ensuring that the administration is answerable to the public. Empowerment is another significant outcome of the RTI Act. Before its enactment, participation in political and economic processes was limited, leaving common citizens ignorant of their rights. The RTI Act empowers people by enabling them to access information and participate in decision-making processes.

Equity and inclusiveness are also emphasized in good governance, and the RTI Act ensures that all citizens, regardless of their socio-economic status, can access information without discrimination. It stands against inequality, injustice, and inhumane activities. Lastly, the RTI Act promotes effectiveness and efficiency by encouraging better record management and ensuring that public authorities maintain their records properly. This leads to a more result-oriented and efficient governance system. Overall, the RTI Act is a powerful tool in

strengthening the foundations of good governance in India.

4.6 Good Governance & Economic Growth

Good governance goes beyond mere authority and encompasses characteristics such as democracy, openness, and scrutiny⁴³. It involves the exercise of power to deliver services for the common good and fulfill the aspirations of citizens. Good governance is achieved when it is open and accountable⁴⁴. The RTI, being an inherent right, plays a crucial role in enabling the poor and marginalized to live with dignity. By promoting transparency in governance, RTI contributes to the reduction of corruption. People utilize RTI to uphold values such as participation, access to truth, and self-fulfillment, while also maintaining a balance between stability and necessary changes⁴⁵. To enhance governance efficiency, key drivers include commitment, cooperation, and coordination among stakeholders.

Eight essential criteria are used by UNESCO for Asia and the Pacific to differentiate between governance and successful governance: accountability, effectiveness, rule of law, inclusion, responsiveness, transparency, and consensus⁴⁶. Achieving good governance is considered a challenging ideal. However, the RTI is widely recognized as a vital element for good governance, particularly in societies where its value is understood. Such societies strive for progress and emphasize empowerment and independence. In the modern world, major civilizations have made efforts to improve their information flow mechanisms.

M. Ansari connects good governance with RTI through several links. Firstly, transparency plays a significant role, ensuring maximum disclosure of rules, reports, and major decisions. Secondly, citizen-ruler partnership is emphasized, with people being key stakeholders involved in guiding major developments. Thirdly, accountability is intrinsic to both good governance and the RTI framework. Lastly, RTI contributes to the reduction of corruption, further strengthening the connection between good governance and the RTI⁴⁷. Similarly, Swati Kedia has linked the concept of good governance with the RTI by evaluating their shared characteristics, such as accountability, responsibility, transparency, rule of law, participation,

⁴³ Plumptre, T. W., & Graham, J. (1999, December). *Governance and good governance: international and aboriginal perspectives*.

⁴⁴ Gochhayat, S. A. (2010). Corruption Is a Threat to Good Governance. Available at SSRN 1742937.

⁴⁵ Bhat, R. A. (2015). Right To Information Act: A Tool For Good Governance. *Research on Humanities and Social Sciences*, 5(5), 185-189.

⁴⁶ <https://thedocs.worldbank.org/en/doc/908481507403754670-0330212017/original/AnnualReport2017WBG.pdf>

⁴⁷ Ansari, M. M. (2008). Right to Information and its Relationship to Good Governance and Development. *ICMA Lecture at UNESCO*. Retrieved May, 7, 2018.

and anti-corruption measures. RTI embraces features like citizen participation, transparency, and efficient governance.

Kedia concludes that achieving these goals is only possible when RTI is fully enforced. Therefore, in the discourse on good governance, the enforcement of RTI is crucial as one element reinforces the other. RTI is regarded as a key to good governance with four key elements: accountability, transparency, participation, and predictability⁴⁸. Transparency, in this context, refers to RTI, which allows for examination and inquiry into government actions, empowering citizens to assess the effectiveness of their government. This accountability is the cornerstone of good governance, making RTI an essential prerequisite. Sahina further recommends RTI to the general public as a means to achieve these goals, including sustainable development⁴⁹.

Jonathan praises the virtue of RTI, noting that it goes beyond its traditional scope as a civil right and works towards achieving high socio-economic aims⁵⁰. However, it is important to note that RTI should not be used to provide competitors with government-held information for their advantage.

4.7 The Impact of RTI on Government Accountability:

RTI has been crucial in tackling problems with public administration, governance, and transparency, especially by making institutions and public officials answerable for their deeds. RTI has been a potent instrument for citizens and activists to reveal corruption, demand accountability, & impact policy reforms, as demonstrated by the following case studies from India.

The Satyendra Dubey Case:

Engineer Satyendra Dubey of the National Highways Authority of India revealed corruption in road building projects. An RTI application filed by journalists and activists following his 2003 murder revealed important details about the case. Public indignation resulted, and the government was under pressure to combat corruption and provide accountability.

⁴⁸ Kumar, S., & Bindlish, M. (2012). Right to information a key to good governance. *ACADEMICIA: An International Multidisciplinary Research Journal*, 2(5), 67-71.

⁴⁹ Laskar, S. M. (2016). Importance of right to information for good governance in INDIA. *Bharati Law Review*, 216-229.

⁵⁰ Klaaren, J. (2006). Three waves of administrative justice in South Africa: country studies. *Acta Juridica*, 2006(1), 370-386.

The 2G Spectrum Scam:

When an RTI filing uncovered anomalies in the distribution of 2G licences, the 2G spectrum allocation scam in India came to light. Investigations, public indignation, and licence cancellations followed this disclosure. A number of well-known people were sued, demonstrating the effectiveness of RTI in exposing corruption.

The Commonwealth Games Scam (2010):

RTI filings exposed cases of embezzlement, corruption, and poor management during the Delhi-based 2010 Commonwealth Games preparations. A national uproar, investigations, & the arrest of multiple officials implicated in the swindle resulted from the revelations.

The Adarsh Housing Society Scam (2010):

Adarsh Housing Society's construction in Mumbai was the subject of a scandal that was exposed by RTI petitions and public interest lawsuits. Rules and regulations were broken in the building's construction, as politicians and bureaucrats occupied apartments meant for war widows. Resignations and lawsuits against individuals involved resulted from the case.

Exposing Black Money (2012):

Information about black money hidden in overseas banks was requested in an RTI application. Despite the small response, it raised awareness of the problem and influenced national and international debates over offshore accounts and tax evasion.

The PDS Ration Card Scam (Uttar Pradesh, 2013):

In Uttar Pradesh, an RTI application exposed the existence of duplicate and fraudulent ration cards that are used to embezzle subsidised food intended for the underprivileged. Thousands of fraudulent cards were cancelled as a result of this disclosure, saving the government money and guaranteeing that those who needed the benefits received them.

NREGA Implementation (Various States):

RTI filings have uncovered corruption and anomalies in the way the National Rural Employment Guarantee Act (NREGA) has been implemented in a number of states. Investigations, disciplinary measures, and better programme execution have resulted from these disclosures.

5. Recommendations and Suggestions For The Successful Provision of The RTI Act

To ensure that the RTI Act achieves its intended goals, it is essential to adopt a multi-pronged approach involving government, civil society, media, and other stakeholders. The following recommendations can strengthen the implementation and effectiveness of the RTI Act:

- **Awareness and Education:** Launch large-scale awareness campaigns involving NGOs, media, and schools to educate citizens, particularly vulnerable groups, about the RTI Act. Include RTI in school curricula to build early awareness.
- **Capacity Building:** Conduct training programs for government officials and public authorities to ensure they understand their roles under the RTI Act. Strengthen collaboration among information commissioners for consistency in decision-making.
- **Improving Infrastructure:** Modernize and digitize record-keeping systems and create a unified national RTI portal to make information access more efficient and user-friendly.
- **Monitoring and Coordination:** Establish a robust monitoring system, led by district authorities and a National RTI Council, to oversee implementation and address challenges.
- **Legal and Security Measures:** Ensure the safety of RTI activists, review exemptions for security agencies, and promote political will and bureaucratic integrity to support the Act's objectives.

6. CONCLUSION:

RTI has the potential to transform societies by promoting transparency, ensuring accountability, and enhancing good governance. This research highlights the critical role of RTI in combating corruption, fostering public participation, and empowering citizens to make informed decisions. By granting access to information about government activities, RTI enables citizens to hold authorities accountable, thereby strengthening democratic processes.

RTI plays a significant role in reducing corruption by exposing malpractices and ensuring that public officials are answerable for their actions. Additionally, RTI serves as a catalyst for economic growth by promoting transparency, fostering fair competition, and creating business opportunities in democratic societies. It enhances trust between citizens and governments by involving the public in decision-making processes, enabling governments to function more effectively and efficiently. Corruption hinders development and adversely affects quality of life, particularly in poor developing countries. The RTI Act empowers citizens to challenge

corruption, promoting accountability and transparency in governance. Civil society plays a crucial role in raising awareness and driving action against corruption. The impact of RTI is evident in Bihar, where corruption declined by 62% from 2005 to 2008. By using and spreading awareness about RTI, people can foster good governance and hold public officials accountable.

Limitations of the Study:

- **Limited Data Access:** The study relies on secondary sources, which may not provide complete or updated information on the RTI Act's implementation.
- **Regional and Institutional Variations:** The findings may not fully capture differences in RTI application across various regions or institutions.