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## RIGHT TO INFORMATION: A DEMOCRATIC IMPERATIVE

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Deepanshi Srivastava, LL.M., Mahatma Jyotiba Phule Rohilkhand University, Bareilly

### ABSTRACT

The Right to Information Act, 2005 is regarded as very important and essential framework of India's Democracy. Strengthening the citizens to get access to the information held by public authorities, promoting transparency, accountability and focusing on participatory governance. By empowering citizens to scrutinize the actions, polices and working of the Government. Right to Information empowers democratic institutions and builds threads of public trust. The Act provides a legal mechanism by which ordinary citizens can ask for the information, challenge arbitrary actions and expose the loopholes in the administration resulting in the formation of more responsive and citizen centric governance.

Inspite of its transformative prospect, the Right to Information framework faces several challenges. Delays in the provisions of information, bureaucratic resistance, and other procedural hurdles very often erode the timely access to crucial data. The effectiveness of Central and State information Commissions is repeatedly compromised due to limited resources and institutional restraints. Also balancing transparency with concerns of national security, privacy and sensitive governmental information presents ongoing legal and administrative conflicts. Today in the Digital era, while e-governance initiatives and online information portals offer new opportunities for public access they also bring in light the complexities related to data protection and cyber security.

This Article analyzes the Right to Information as a democratic Imperative, emphasizing it's critical role in order to ensure transparency, empowering citizens and curbing corruption. It examines the challenges faced by the Right to Information Framework and explores potential reforms to enhance its effectiveness. By throwing light on the significance of Right to Information in enabling participatory democracy, this Article underlines that access to information is not just a statutory right but a fundamental tool for maintaining the accountability, integrity and responsiveness of democratic Governance in India. Strengthening the Right to Information framework is thus essential for the continued progress and development of India's democratic institutions.

**Keywords:** Right to Information, Transparency, Participatory Governance, Accountability, E-Governance, Empowered citizen.

## INTRODUCTION

Democracy thrives not merely on periodic elections but on the continuous participation of informed citizens in governance. Information is the cornerstone of such participation. In the absence of transparency, democratic institutions risk degenerating into opaque and unaccountable structures of power. The Right to Information (RTI) emerges, therefore, not as a procedural entitlement but as a democratic necessity. In India, the enactment of the Right to Information Act, 2005 marked a transformative moment by legally empowering citizens to seek information from public authorities, thereby strengthening transparency, accountability, and good governance. The Right to Information recognizes the simple yet powerful principle that the government is accountable to the people, and information held by public authorities is not their exclusive property but a public resource. This article examines RTI as a democratic imperative by analyzing its conceptual foundations, constitutional basis, objectives, role in strengthening democracy, challenges in implementation, and the way forward.

## THE UNDERLYING FOUNDATION

The Right to Information is rooted in the broader concept of freedom of information, which has long been recognized as an essential component of democratic governance. A democracy cannot function effectively if citizens are kept ignorant of governmental actions, policies, and decisions that directly affect their lives.

- Information serves three crucial democratic functions.
- Empowerment of citizens by enabling informed decision-making.
- Accountability of public authorities through public scrutiny.
- Prevention of corruption and arbitrariness in administration.

Without access to information, citizens remain passive subjects rather than active participants in governance. RTI transforms this dynamic by shifting the balance of power from the state to the people.

## THE CONSTITUTIONAL BASIS

Although the Indian Constitution does not explicitly mention the Right to Information, it has been judicially recognized as an intrinsic part of <sup>1</sup>Article 19(1)(a), which guarantees the freedom of speech and expression. The Supreme Court of India has consistently held that the

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<sup>1</sup> The Constitution of India, 1950

right to know is an essential aspect of free speech.<sup>2</sup> In Raj Narain (1975), the Court observed that in a responsible government, there can be no secrecy except in matters affecting national security. Similarly, in <sup>3</sup>S.P. Gupta Case, the Court emphasized that transparency is vital to prevent abuse of power. These judicial pronouncements laid the groundwork for the statutory recognition of RTI, culminating in the enactment of the Right to Information Act, 2005, which operationalized this constitutional principle.

## **OBJECTIVES OF THE RIGHT TO INFORMATION ACT, 2005**

The Preamble of the RTI Act clearly reflects its democratic ethos. The primary objectives of the Act include:

- Promoting transparency in the functioning of public authorities.
- Ensuring accountability of the government to citizens.
- Containing corruption and misuse of public power.
- Strengthening participatory democracy.

The Act mandates timely disclosure of information and places an obligation on public authorities to proactively publish important records, policies, and decisions. This shifts governance from a culture of secrecy to a culture of openness.

## **RIGHT TO INFORMATION AS A TOOL OF ACCOUNTABILITY**

Accountability is the lifeblood of democracy. The Right to Information ensures accountability at multiple levels:

- **Political Accountability**

RTI enables citizens to scrutinize the actions of elected representatives, policy decisions, and use of public funds. It bridges the information gap between the rulers and the ruled, ensuring that power is exercised responsibly.

- **Administrative Accountability**

Bureaucratic opacity often leads to inefficiency, delay, and corruption. RTI empowers citizens to question administrative decisions, demand explanations, and expose maladministration.

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<sup>2</sup> State of Uttar Pradesh v. Raj Narain, 1975

<sup>3</sup> S.P Gupta v. Union of India, 1981

- **Financial Accountability**

By allowing access to government expenditure, contracts, and tenders, RTI helps in monitoring public finance and preventing misuse of taxpayer money.

Through these mechanisms, RTI acts as a democratic check on arbitrary governance. Also one of the most significant contributions of RTI has been its role in uncovering corruption. Access to official records has enabled citizens and activists to expose scams, irregularities, and misuse of authority at various levels of government. RTI discourages corrupt practices by introducing fear of exposure. When officials know that their decisions can be questioned and scrutinized, they are more likely to act lawfully and responsibly. Transparency thus functions as a preventive mechanism against corruption.

Democracy is not confined to voting once every few years; it requires continuous civic engagement. RTI strengthens participatory democracy by enabling citizens to engage meaningfully with governance processes.

- Access to information allows citizens to:
- Participate in public debates with factual clarity.
- Hold informed discussions on policy matters.
- Engage with local governance institutions.
- Demand better delivery of public services.

By empowering citizens with knowledge, RTI transforms democracy from a symbolic exercise into a substantive reality.

The Right to Information has been particularly impactful for marginalized and vulnerable sections of society. It has enabled people to demand transparency in welfare schemes, public distribution systems, employment programs, and healthcare services.

RTI has helped in exposing:

- Irregularities in ration distribution.
- Ghost beneficiaries in welfare schemes.
- Delays in pensions and wages.
- Discrimination in service delivery.

In this way, RTI contributes to social justice by ensuring that government benefits reach their intended recipients.

## THE CHALLENGES IN IMPLEMENTATION

Despite its transformative potential, the implementation of RTI faces several challenges:

- **Administrative Resistance**

Many public authorities remain reluctant to share information, often citing vague exemptions or procedural delays.

- **Misuse of Exemptions**

Sections relating to national security, public order, and confidentiality are sometimes misused to deny legitimate information.

- **Pendency and Delays**

Information Commissions across India face heavy backlogs, leading to delayed justice and reduced effectiveness of RTI.

- **Threats to RTI Activists**

Several RTI users and activists have faced harassment, intimidation, and even violence, highlighting the need for stronger protection mechanisms.

- **Amendments and Dilution**

Recent amendments affecting the tenure and independence of Information Commissioners have raised concerns regarding the weakening of the RTI framework.

- **RTI and Digital Governance**

The integration of RTI with digital platforms presents new opportunities and challenges. Online RTI portals have improved accessibility, reduced procedural hurdles, and increased efficiency. However, digital exclusion remains a concern for those without access to technology or digital literacy.

A balanced approach is necessary to ensure that digitalization enhances, rather than restricts, the democratic reach of RTI.

## THE WAY FORWARD

To preserve RTI as a democratic imperative, certain measures are essential:

- Strengthening the independence of Information Commissions.

- Ensuring timely appointment of Information Commissioners.
- Enhancing transparency through proactive disclosures.
- Protecting RTI activists through legal safeguards.
- Increasing public awareness and legal literacy.
- Streamlining procedures to reduce delays.

RTI must be viewed not as a threat to governance but as a mechanism to improve trust between the state and citizens.

## **CONCLUSION**

The Right to Information is not merely a statutory entitlement; it is the backbone of democratic governance. By promoting transparency, accountability, and citizen participation, RTI reinforces the core democratic principle that sovereignty ultimately resides in the people.

In an era marked by increasing complexity of governance and concentration of power, RTI acts as a democratic safeguard against secrecy, corruption, and arbitrariness. Its continued relevance depends on collective commitment—of the state to uphold transparency, and of citizens to actively exercise their right to know.

A democracy that values informed citizens is a democracy that endures. In this sense, the Right to Information is not optional—it is a democratic imperative.

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