

## Right to Information and Empowerment of the Indian Society

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**Abstract:** Right to Information is a fundamental human right of each person. Information is playing a vital role in modern socio-economic developments. The poor homeless citizens of special needs are also empowered with the Right to Information Act 2005 in India. They may also know the details of government initiatives for the welfare of the society. The famous French thinker Michel Foucault once opined control is got from learning and information is the essential segment of information. Information makes men wise and it is competent enough to cope up with the modern world. So, it is the duty of government to inform citizens about day to day happening whatever within the government. The transformation from governance to good governance is possible, if there is possibility of increasing participation of people in governance and free access of information. By realizing this fact, Indian parliament has passed Right to information act, 2005 to make government, accountable, responsible, efficient and transparent. This paper tries to highlight the basic guidelines of Right to Information act, the relationship between Right to information act and good governance and the issues relating to Right to Information act. In concluding part, the paper provides some core recommendations for successful functioning of Right to Information act. Attempt has also been made to make a distinct comparison on Right to Information legislation between India and developed nations.

**Keywords:** Right to Information act, Empowerment of people, parliamentary democracy good governance, RTI issues and recommendations.

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### I. Introduction

The Union Government has introduced a bill. "The Freedom of Information Bill" in parliament. The bill is "to provide for free to every citizen to secure access to information under the control of the public authorities. The bill is "To accommodate flexibility to each resident to secure access to information under the control of people in general specialists. Predictable with open issues, keeping in mind the end goal to advance receptiveness, straightforwardness, and responsibility in the organization and in connection with issues associated therewith or accidental thereto". A vital inquiry that should be addressed is the reason do we require a different law for the opportunity of information since it is now accommodated an article 19 of our Constitution, which peruses: "All residents have the privilege to the right to speak freely and articulation". The opportunity of Information, it is self-evident, is ensured by the above-protected arrangement. One straightforward response to this journey particle is that notwithstanding Constitutional Provisions, which ensure principal rights, we have not possessed the capacity to make a culture and atmosphere where estimations of flexibility, rights and an equitable lifestyle are regarded. One of the motivations behind influencing laws to like the privilege to Information, which is basically a human right, is to help make this culture. A law for appropriate to information can be made successful just through individuals' developments. It is in the above setting that we may look at the entire inquiry of appropriate to information, which has a bigger reason than only looking for information from the legislature. It is frequently said that an interest for the Right to information is influenced just by the white collar class that will convey advantage just to the favoured area of our kin. Right to Information Act of 2005, is the finest bit of enactment in Indian lawful framework which was sanctioned for getting the straightforwardness and responsibility the administration. Access to information is so vital to a person's life and other Fundamental rights that United Nations in the year 1946 perceived that individuals have a human appropriate to access to the information from their legislature. Subsequently, this choice constrained distinctive nations to establish such arrangement of tenets which can offer rights to nationals to have an entrance to the information to their individual governments. UN expressed, 'Opportunity of information is a principal human right and the touchstone for all flexibilities to which the United Nations is blessed'. "To give a powerful system to a compelling structure for effectuating the Right to Information perceived under Article 19 of the constitution of the India" in order to accommodate setting out the functional administration of appropriate to information for residents to secure access to information under the control of open specialists, keeping in mind the end goal to advance straightforwardness and responsibility in the working of each open expert, the constitution of a Central Information Commission and State Information commissions and for issues associated therewith on accidental

thereto. This privilege is comparable to one side to the right to speak freely and articulation and furthermore shapes a piece of it, the rationale given behind incorporating this privilege in essential right was that if individuals appreciate the privilege to discourse then they should likewise have the privilege to hear what they need to hear and accordingly Right to information additionally frames a piece of it that is the reason "The Right To Information" Yet, this privilege to flexibility of information is just a statutory right and if the qualification to information is a right, it is similarly a convincing commitment cast on the general population specialists to supply the information. Not to supply the information or supply it in a way unique in relation to the way in which it is requested or providing deficient information or off base information or to keep quiet on the demand or submit any postponement in outfitting the information are largely offenses for which the concerned open information officers are at risk to be punished by inconvenience of punishments and they may likewise be subjected to disciplinary procedures. Subsequently, it might be expressed that this Act takes shape the Right to Information as a dynamic rule. With the end goal of the evacuation of questions, there is Central Information Commissioner who will work at a focal level and State Information chief who will work at State level and they need to manage demands from individual looking for information and render sensible help to the individual looking for such information. A resident has a privilege to look for such information from an open expert which is held by the general population specialist or which is held under its control. It is essential to take note of that exclusive such information can be provided under the Act which as of now exists and is held by general society expert or held under the control of the general population specialist. On twelfth October 2005, India ended up the noticeably 55th country to set up its own administration for the flexibility of Information. The goal of the RTI Act is to set up a useful administration for nationals to get to information held by Public Authorities. It is being perceived that entrance of information is human perfectly fine as an imperative appropriate to advance great administration and battle debasement. Such work of enactment secure the privileges of Citizens and empowers them to take an interest in majority rule forms, it engages them to end up noticeably mindful of and request their rights, such bit of enactment helps in crusading debasement which is a standout amongst the most critical issues for the development of residents and the administration as well. It likewise implies that information is unreservedly accessible and specifically open to the individuals will's identity influenced by such choices and their implementation. It likewise implies that enough information is given and that it is given in effectively reasonable structures and advantageously available broad communications. The Right to Information not just gives individuals to approach the information identified with administration and strategy making yet in addition enables them to partake in administration and make the administration commendable. In the year 2005, "The Right to Information Act" was instituted and it is considered as the finest legitimate structure of standards and controls which engages the residents to request that whatever they need inquire. This Act of 1923 enables the legislature and officials to keep the information far from the scope of nationals by thinking of it as a mystery. The First Administrative Reform commission requested the withdrawal of different outlandish and irrelevant arrangements which go about as an impediment in stream of the information. As indicated by the report, discloser of any information which was regardless of the possibility that simply basic information could be considered as "Mystery" and as per this demonstration it fell under offense. Indian Law Commission (1971) it provide details regarding "National Security" specified the area of this demonstration and proposed that any broad discloser of information which are no danger to national security. The state of mind of government towards opportunity of information is as yet flighty, there is danger of losing the power in the two organs of government i.e., Executive and Legislative on account of dread of losing the control and control and furthermore weight of being capable to general society after the authorization of RTI. The "Official Secrets Act" had given the officer enough assurance and reason to deny fundamental information to the general population. Administration has run of the mill pioneer mentality and they have grown profound personal stakes in guarding the information and working in mystery. By denying the information to the general population, administrators believe that they acquire control, so they don't uncover the fundamental information to the native. Presently after the order of RTI Act they need to give every single information with the exception of some information which fall under "Privileged insights" under Section 8 of this Act which discuss Exemptions from revelation of information.

#### **DEVELOPMENT OF NEW AGE OF DEMOCRACY**

With the institution of The Right to Information Act, another time of majority rules system developed. The Right to Information Act changed the general public inside 8 years of its sanctioning yet there are still bunches of issues and difficulties which appear to be illuminated by RTI itself however it will require investment. Prior to its establishment individuals found the administration futile, they were disappointed from each side, debasement is won all over the place, open specialists carried on like they are the rulers and average citizens are their workers. Political gatherings once framed the administration, at that point they never used to go to the average citizens for association and to think about their conditions. In any case, because of increment in proficiency rate individuals are presently mindful of the approaches which are ordered for them by their

administration, now they use to have a bird eye on each and every progression made by the legislature. This all has turned out to be conceivable in view of our opportunity of information which empowers us to take dynamic cooperation in approach making since the general population straightforwardly or in a roundabout way influence the arrangements. Democratization is currently being done at each level of society, uniformity is being won however gradually yet RTI is demonstrating its real nature now, it crushed the government officials and administrators who don't care to impart information to the general population, now it wound up noticeably mandatory for civil servants to answer every last inquiry, aside from certain exempts of revelation of information. A native would now be able to request each and every record of costs, organization by the legislature and outsider which is specifically or in a roundabout way associated with the administration. RTI helps in different ways and along these lines causes a great deal to battle with the degenerate framework. On the off chance that any individual who require a BPL (beneath neediness line) card needs to pay off 2000-5000 rupees to open authorities to get the card, now this don't occur after the approach of RTI in light of the fact that individuals can request that the method get a BPL card. Subsequently in spite of the fact that RTI does not help in giving somebody BPL card but rather yes it will tell the strategy so individuals can't be charged more by the authorities. So also in the event that somebody need a power association for his home yet he doesn't know the strategy, at that point RTI causes him in knowing the system, this really helps in securing the way toward giving administrations.

### **THE RIGHT TO INFORMATION & GOVERNMENT**

RTI demonstrated a danger to the legislature and constrained them to carry on like a hireling. RTI totally changed the state of mind of the government towards the general population. The Official Secrets Act helped them a considerable measure in abusing the subjects. Each sort of information was put under the privileged insights and any individual who was endeavouring to reveal this information was put behind the bars. It was known as the "Dark LAW" and was polished till 2005. Administration and government profited by not uncovering the information and they let India in the hands of defilement and syndication of "Vote Based King". However, by the institution of RTI, each open authority and any individual who is connected with the administration was compelled to keep the records of everything, even the record of the venture of the single rupee. The government regularly accompanies a contention that India is a creating nation and it doesn't have enough assets to process such huge numbers of information demands. On this Arvind Kejriwal gave a case around an office in USA, where 3 million RTI applications were documented and the USA government burn through 30 million dollars to process those demand since they put stock in acquiring straightforwardness the framework, and once you are clear with your thought process then assets are to come in any case. Inside five years of its authorization, there was a blast in the applications with respect to information from the legislature. The civil servant is present to view himself as not simply a capable caretaker of key information, but rather a trustee. In an administration focused on straightforwardness, the government worker winds up plainly responsible for what he composes and how he plays out his obligations. He is required to be more receptive to the necessities of his lords, and bosses are the average citizens. RTI influences them to understand that they are not the manager; they are really hirelings working for "we the general population". Inside the 8 years of its order, a huge number of utilization was petitioned for the information in Municipal Corporations, Finance Departments, and Home service and so on. Also, individuals came to realize what the real nature of their administration is. RTI is such a risk to the administrative body that PM Dr Manmohan Singh while tending to the parliament requested a correction in this Act, as indicated by him the alteration is vital on the grounds that it can be abused by individuals who are against the power of the Nation.

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

The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government, Contain corruption, and make our democracy work for the people in real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. The Act is a big step towards making the citizens informed about the activities of the Government.

## **II. Research Methodology**

The present study is a very important aspect of any research project. It includes the various sources of collecting information like the primary sources where fresh first-hand information is collected through personal interviews of experts and the secondary sources where information is readily available such as books, journals, etc. It also includes information processing and information analysis which are explained along with the sources of collecting information.

## **HISTORICAL BACKGROUND OF RIGHT TO INFORMATION ACT IN INDIA**

In 1944 a mass-based association called the MazdoorKisnaSaghathan took intense activity to stir the general population in a regressive region of Rajasthan Bhim Tehsil to affirm their entitlement to information by soliciting duplicates from Bill and vouchers and names of people who have been paid wages in the development of schools, dispensaries, little dams and group focuses. In the wake of getting information, the villagers came to realize that a large portion of the general population stores was abused. As the greater part of the school, structures were roofless, dispensaries without the divider, dams left inadequate and group focuses have no entryway and windows. MazdoorKishanSangha raised celebrated trademarks like Hamare Paisa, Hamarahisab (our cash, our record) and Ham Janenge, Ham Jiyenge (We will know, we will live). By virtue of their extreme weight on the administration, Press committee of India arranged a draft charge in 1996 to influence an arrangement for securing ideal to information to known as appropriate to information charge, 1996. For the smooth elements of appropriate to information charge, the administration of India on January 2, 1997, designated working gathering. The working gathering suggested that the bill ought to be named as Freedom of Information charge as Right to information charge has now perceived as a piece of opportunity and articulation.

## **RIGHT TO INFORMATION ACT & ARTICLES OF INDIAN CONSTITUTION:**

The Right to information is a fundamental human right got from Art 19(1) (a) of the constitution of India. It expresses, every one of the Nationals has the privilege to the right to speak freely and articulation and Art 21 manages appropriate to the life of subjects. Constitution of India 1950 expressed that the court has perceived the privilege to access information from government officials is major to popular government. In any case, the privilege to information does not mean the free stream of information with no confinement. Like all other essential rights, the privilege to information has additionally certainly sensible confinements. Once the Apex Court opined, the general population of this nation have a privilege to know each open demonstration, everything that is done publically, by their open functionaries. They are qualified to know the particulars of each open exchange in all its bearing. The privilege to know, which is gotten from the idea of the right to speak freely, however not supreme, is a factor, which should make one attentive, when a mystery is guaranteed for exchanges, which can, at any rate, have no repercussions on open security. To cover with a cloak, the normal routine business is not in light of a legitimate concern for people in general. Such mystery would seldom be able to be authentically wanted. It is by and large wanted with the end goal of gatherings and legislative issues or individual self-interests of bureaucratic schedule. The duty of authorities to disclose and to legitimize their demonstrations is the central shield against persecution and defilement; In *Bennette Coleman v. The Union of India*, in 1973, our Supreme Court decided that the privilege to the right to speak freely and articulation ensured by Art. 19(1) (a) incorporated the privilege to information. In *State of UP Raj Narain*, in 1975, Justice Mathew unequivocally expressed: It is not in light of a legitimate concern for people, in general, to cover with a smoke screen the basic routine business the duty of authorities to disclose and to legitimize their demonstrations is the main shield against abuse and defilement. In *Secretary, Ministry of Government of India v Cricket Association of Bengal*, in 1995, the Supreme Court held that the privilege to grant and get information from electronic media was incorporated into the right to speak freely. The Union of India, in 1982, the privilege of the general population to think about each open demonstration, and the subtle elements of each open exchange embraced by open functionaries was shown. In *People's Union for Civil Liberties. The Union of India*, in 2004, the privilege to information was additionally raised to the status of a human right, fundamental for making administration straightforward and responsible. It was additionally stressed that administration must be participatory.

## **INVOLVEMENT OF POLITICAL FACTORS IN RIGHT TO INFORMATION ACT**

In the year 2006, there was a need felt of correction in RTI in spite of the fact that it was pulled back later on when PM said that RTI ought not to hinder organization. He was clear in his perspectives that RTI ought not to be utilized for political purposes but rather for better administration so the essential issues like debasement and sick administration can be controlled. Government officials utilize the RTI for the political purposes to utilize it against each other; it ought not to be done in light of the fact that RTI ought to be utilized for reasonable means, not for political means. A RTI was documented by Varun Gandhi to get information about the general population who had their ledgers in Swiss bank, in spite of the fact that he said that his motivation of recording RTI was not political but rather than likewise there was a political thought process in light of the fact that as he said that he needed to know what number of pastors have their financial balance in S Swiss bank. Congress reprimanded each move of BJP against it and subsequently censured Varun Gandhi too to file RTI for the Swiss financial balance holders, yet this is the thing that resistance referred to for as ArvindKejriwal said in his meeting in Surya T.V that restriction party are intended to check every last move of decision party, and consequently they are in restriction and in the event that somebody feels it an abuse of RTI yet it is really the utilization of RTI and it is the obligation of resistance to get the information and to challenge the administration. So the sort of contention by the decision party U.P.A that restriction is abusing the RTI and are doing legislative issues on the premise of that information and furthermore coercing the administration turned out to be extremely silly contention. Politicization is not done here, but rather it is finished with average

citizens, any individual who recorded a RTI for some sort of information which is a risk to the general population authorities and government officials then they use to alarm individuals. Different cases are in news with respect to the murder instances of different RTI activists, and this is really a risk to the majority rules system, right to life of a man is encroached because of politicization in RTI. It made a sort of dread in the brains of individuals and henceforth now and again there was a request for such an arrangement of law under the RTI Act itself so that the RTI activists could be live unreservedly without dread of losing their lives and they can help in enabling the soul of majority rule government. In the year 2012, a RTI dissident named Shehla Masood was ruthlessly murdered in Bhopal (M.P) on the grounds that she was a standout amongst other RTI activists in M.P and was exceptionally dynamic as a lobbyist. Till now CBI can't discover the genuine reason that why was she slaughtered. Essentially there is a number of instances of the murder of RTI activists. ArvindKejriwal the outstanding RTI extremist and who is considered as the father of RTI activism in India on the "SwadeshiJagranManch" in Jaipur, Rajasthan said that debasement can be brought into light by utilizing RTI, along these lines the activity of RTI is done subsequent to giving information, yet the fundamental issue exists in the further technique, gripe which is made against defilement on the premise of information gave by RTI is stayed unheard, no further moves are made by police, or by cautiousness. Here comes the part of legislators, that how government officials smother the argument against them by abusing their energy. So the issue exists in the correct usage and the administration. Until and unless there is the presence of ill-advised administration no law can be actualized appropriately. In his discourse, ArvindKejriwal laid accentuation on the best possible usage of laws, and a genuine popularity based state in which each native is to be heard and each choice to be made after expert with the overall population as it occurred in our antiquated India and as it is polished in different created nations.

### **RIGHT TO INFORMATION AND GOOD GOVERNANCE HELPS TO COMMON PEOPLE**

The privilege of the right to information is a way making enactment which exposes the mystery of organization. It is a successful intends to promote popularity based belief system. The demonstration is an effective instrument to battle against defilement. By understanding this criticalness the Second Administrative Reform Commission had arranged a definite outline for patching up people in general authoritative framework. The second Administrative Reform Commission, the legislature of India has distributed its initial report in Right to Information: the Master key to great administration. Through this report, the commission specifically said that entrance to information can enable poor people and weaker areas of society to request and government information about open arrangements and activities, in this way prompted welfare of all. Great administration and appropriate to information are complementary to each other. A country whatever type of government it seeks after must satisfy the goals of basic man. The great administration is the main road, which can give surety the life of people. The great administration is portrayed by-political responsibility, accessibility of opportunity, bureaucratic responsibility, accessibility of information, adequacy, proficiency, reputable native and collaboration amongst government and society. All things considered, the Right to information is a characteristic culmination of good administration. The authorization of RTI act 2005 presents an open and straightforward government and gives each resident appropriate to look for and get information to make the organization more mindful and straightforward which implies great administration. Thus, World Bank once properly commented, Right to information is an indispensable piece of good administration.

### **COOPERATIONS**

Participation of both men and women is the cornerstone of good governance. Representative democracy does not mean the rule of chosen few; it must take into interest of all sections specially the most vulnerable sections in the society. The Right to information acts gives people a chance to participate not just one in five years, but every day and question any decisions. The right to Information act gives an opportunity to the common men to participate in governance and reduce the imbalance in power relationship, provides a tool to oppose injustice and allows collective spirit to make democracy work for everyone. Right to information act also strengthen grassroots democracy and ensures peoples participation in local governance and development activities.

### **ACCESSIBILITY**

Right to Information makes it conceivable to simple access of Information from government offices, archives, records, administrations, accounts and arrangements to all areas of group. The Right to Information act by giving simple access of Information decreases the customary long expand amongst subjects and organization and in this manner helps in country building process. The privilege to know and simple access of government Information encourages the general population to comprehend the constraints of government at various levels. The accessibility of Information additionally encourages being developed process and it is a side effect of genuine and develop majority rule government.

### **TRANSPARENCY**

Transparency is the milestone of good governance. Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement.

Transparency and accountability is possible only when the public have access to information. The enactment of Right to Information act 2005, people are now able to seek information from any government department with a definite time frame. The Right to Information act is intended to promote accountability and transparency in government by making the process of government decision making more open. Though some departments of the Union government are exempted from this act but the information can be sought if it is concerned with violation of human rights. Even the information from the private authority can be sought only through the controlling authority and controlling authority will send the notice to the institution concerned under section 11 of the act. In addition to this, the citizens are taxpayers, so they have every right to ask the government.

#### **ACCOUNTABILITY**

Accountability is another requirement of good governance. Not only the government, the private sector institutions should also be accountable to the people. Information is power and Right to Information act brings accountability and transparency in the administration. The Right to Information act provides people with mechanism to access information, which they can use to hold the government accountable or to seek explanation as to why decisions have been taken, by whom and with what consequences or outcomes. However, accountability cannot be achieved without transparency and rule of law.

#### **EMPOWERMENT TO PEOPLE**

Before enactment of Right to Information Act, participation in political and economic processes and the ability to make informed choices has been restricted to India. As a consequence, commoners remain ignorant of various schemes and are unable to resist when their rights become causality. At the same time, people remain ignorant in terms of the ways and means through which they can obtain their entitled rights from the concerned departments legally. Now with enactment of Right to Information act people can participate in decision making process and it enables the citizens to know about the government decisions. The Right to Information act empowers people by removing unnecessary secrecy surrounding the decision making process of the government.

#### **VALUE & COMPREHENSIVENESS**

Value is another noticeable element of good administration. It infers everyone is a piece of the administration and they don't feel rejected from the standard of society. The Privilege to Information act likewise does not make any segregation amongst rich and poor and it covers every one of the residents in India. It generally approaches to battle against disparity, bad form and cruel action.

### **III. Conclusion**

Right to information is as critical for the existence of democracy as a parliament in a parliamentary democracy. RTI is the best law which empowers the citizens to have an access to information and their contribution in the governance. But due to various challenges, the main objective of RTI is yet not achieved. Thus it can be rightly mentioned that Right to Information act is an agent of good governance. It makes administration more accountable to the people. It makes people aware of administration and gives them an opportunity to take part in decision making process. It promoted democratic ideology by promoting openness and transparency in the administration. It reduces the chances of corruption and abuse of authority by public servants. Since the act is prepared for people's interest, hence its success also depends on how they exercise the act. Moreover, there is need for active participation from people, NGO's, civil society groups, coordination among RTI officials, integrity among government departments and political will from government and elected leaders.

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