

Right to information: -

In a democracy people are the rulers and people establish a government of their choice for a fixed term, thus people have the right to get information about how the elected government is functioning. Such information can help people to measure the performance of the government and to build public opinion about the government. Through information about government functioning one can expose or criticize when it misuses the authority or support the government when it's involved in welfare activities. In Indian parliamentary system, free exchange of ideas, debate and discussion are an integral part of the governance, and for that to happen information about functioning of the government is essential, even the Supreme Court of India in a series of judgements recognized the Right to Information as an integral part of the Fundamental Rights - Right to Freedom of Speech and Expression under article 19(1) A of the Indian Constitution, which is an important wheel of Indian democracy. Right to information is not just a matter of discussion in India, it was also discussed at the international level, and international documents such as UDHR, ICCPR have made reference to right to information.

Right to information means a citizen has a right to seek such information from the government on its decisions, functions. Information can be in the form of documents, records, emails, press releases, contracts, reports or any data in electronic form. The major objective of the RTI is to maintain transparency and to make the government more accountable. For the first time RTI was enacted in Sweden in 1766, which was given power to the people to access information from the king. Later more than 120 countries have adopted their own RTI laws:

In 1789, France's declaration of human and civil rights made the provision of the right to information.

In 1940, the UN General assembly passed a resolution on freedom of information considered freedom of information as a fundamental right.

In 1966, the USA adopted the Freedom of Information act. In 2002 Pakistan became the first country in South Asia to introduce the RTI act.

In India RTI Act came into force on 12 October 2005, to give right to information to Indian citizens. According to this act, the information accessible to the parliament or state legislature members shall be accessed to any citizen of India. Information can be accessed in the form of printout, electronic data, floppies, tapes, video, etc. This act doesn't make provision to give information to corporations, companies, associations, etc. Features of Right to Information Act, 2005: -

The debate and discussion on Right to Information in India started by the Supreme Court in the 1970s, later various non- governmental organizations demanded it from the government to implement in India. Because of this demand, the Right to Information Act was first formulated in two states, in Tamil Nadu on 4th May 1997 and in Goa on 31st July 1997, followed by many other states passed legislation on RTI. Later in 2000 the government of India took the initiative to frame RTI in India, the parliament passed the RTI bill on 12 May 2005 and got President's assent on 15 June 2005, this act finally came into force on 12 October 2005.

This act includes **following provisions or features:**

- 1. Any Indian citizen can** seek information from the public authorities under the act, public authorities are all governmental organizations, departments, local governments along with a body which receives grants or funds from the government.
2. Public authorities are obliged to provide information to an applicant with certain exceptions related to national security, investigation, personal information and third- party information.
3. The public authorities must designate a senior officer to provide information to the citizen requesting information under the act.
4. Application fees for the information is rupees 10, if the applicant belongs to weaker section or below poverty line information is available for free of cost.
5. Public authorities cannot ask the applicant to give reasons for seeking information or cannot ask for physical presence of the applicant.
6. The public officer has to give information not later than 30 days from the date of application. If a matter is related to the person's life and personal liberty then not later than 48 hours.
7. The RTI act directed the union government to constitute a Central Information Commission and state governments to constitute a State Information Commission to monitor or for the effective implementation of RTI act provisions. Both bodies have Chief Information Commissioners and Information Commissioners. Central Information Commissioner appointed by the President of India and in state by governor of the state. The government determines the tenure and salary of the commissioners.
8. In case of delay CIC(CENTRAL INFORMATION COMMISSION) or SIC(STATE INFORMATION COMMISSION) can impose a penalty or can recommend disciplinary action against the responsible officer for not providing information with malicious intent.
9. In case of denial or not providing proper information, an applicant can appeal to the first appellate authority nominated by the department, and second appeal to the CIC or SIC.

Significance of Right to Information Act: -

One cannot express his views without the information; hence, the freedom of speech and expression becomes meaningless if a person is prevented from accessing information. Therefore, the Supreme Court of India recognized the significance of right to know and considered it as an integral part of the fundamental right to speech and expression. In a democracy, denying information to the public makes that state weaker, promotes corruption, keeps people ignorant and makes them subject to the state rather than citizens. Following are the significance of right to information:

1. Promotes transparency in public office: -

RTI provides information to the people about the working of the government, this leads to transparency in the administrative system. Transparency means clarity or openness, so that people can see the government's work clearly. About what is happening and what is going to

happen? It opens all communication of the government to the public and removes unnecessary secrecy in the decision-making process. Openness can restrict the misuse of powers or authority by the public authorities against the people or to use power for fulfilling personal interest and helps in providing justice to the people.

2. Promotes accountability and good governance: -

Accountability means answerability to one's action, RTI makes public officials answerable for their actions, for the use of public resources and for their performance. It obliges public authorities to work as per the determined rules. If the public official fails to maintain accountability there is a chance of losing their power and authority, this fear of punishment leads to the effectiveness and sense of responsibility among the government of officials about their functioning.

3. Helps in reduce or eradicating corruption in public office: -

Across the world, the right to information has been introduced to tackle corruption through transparency and accountability. The absence of both encourages corrupt practices in government such as influence, exploitation of vulnerable, misuse of authority, using public money for personal gain, etc., this would develop distrust between the government and people, impact on welfare of the state. Therefore, the RTI act was introduced in India to reduce corruption. The Corruption Perception Index (CPI) report released by transparency international shows that corruption in India reduced gradually after the commencement of the Right to Information act.

4. Promotes participation of people in public affairs: -

Participation of people in public affairs is the involvement of society in governance, RTI realizes this by opening government offices to the public. RTI Act provided a mechanism for the communication between people and the government and increased active involvement of citizens in public affairs. The development of any state requires active participation of civil society in planning and policy making, RTI would make it possible by giving voice to all sections of society, specifically to the vulnerable sections. 5. Helps people to make well informed decisions: -

Through the information about the functioning of government bodies and elected representatives, citizens can build public opinion about them. This public opinion helps people to make their political and economic choices freely rather than making decisions on emotional or narrow considerations of casteism, appeasement politics, communalism, etc. On the other hand, it helps in strengthening democracy.

6. Easy accessibility of information to all citizens: -

RTI has made easy access of information to all citizens about government departments, services, policies. This gives knowledge to the people about everyday functioning of government and reduces the gap between citizens and administration, thus it helps in the nation building process.

7. RTI promotes equity and inclusiveness: -

RTI provides equal opportunity to all citizens to get information from the government, it makes every citizen part of the governance and every section of the community feels an inclusive part of the government. Inclusiveness means covering each section of society in a government program and uplifting them, providing justice. RTI realized this in India.

8. Empowerment of citizens: -

Empowerment means positive growth or changes in people's life. The RTI Act has given power to the people through decentralizing the information, this would remove unnecessary secrecy in the decision-making process of the government. Concentration of information leads to centralization of power which would keep people ignorant about policies, schemes of the government and unfortunately people failing to protest against those policies if it violates their rights or collective interest of the society. To stop this barrier and to provide Justice, RTI was introduced in India.