

Transparency and Accountability in Government: A Study of India's Right to Information Act

Dr. C. Shanthi

Assistant Professor, Department of Political Science,
Government Degree College, Shadnagar, Telangana.

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Abstract

Transparency is the free flow of information regarding government acts and decisions, whereas accountability is the requirement of government personnel to be liable for their conduct and performance. By guaranteeing that individuals are informed and that officials are held accountable for their actions, these core tenets of good governance work together to increase government effectiveness, reduce corruption, and foster trust.

This research looks at India's Right to Information (RTI) Act, 2005, as an important way to make government more open and accountable. It talks about how the act gives people the right to access public information, which makes it easier for people to watch what the government does and helps cut down on crime. The act has made a big step forward in good governance, but the study also finds ongoing problems, like delays and incomplete execution, that keep it from reaching its full potential.

- **Empowerment through access:** The RTI Act gives citizens the right to request and receive information from public authorities, fundamentally shifting the relationship between the government and the governed.
- **Enhanced transparency:** By allowing public inspection of government decisions and procedures, the act fosters an environment of transparency.
- **Strengthened accountability:** Increased public scrutiny makes government officials more accountable for their actions, encouraging more responsible and ethical behavior.
- **Reduction of corruption:** The act is a powerful weapon against corruption, as it allows for the disclosure of information that exposes malfeasance, such as in the Public Distribution System.
- **Challenges and limitations:** Despite its success, the act faces obstacles like delays in information delivery, denials of access, and a lack of proactive disclosure by some public authorities.
- **Need for improvement:** The effectiveness of the RTI Act depends on the commitment of public authorities and the implementation of measures to overcome these challenges, with suggestions including uniform rules and a focus on "maximum disclosure and minimum exemptions".

Keywords: *Accountability; Good Governance; Right to Information; Transparency; Corruption*

1. Introduction

Over the course of the last sixty years of independence from foreign domination, India has not only continued to successfully maintain its status as a democratic country, despite the fact that it has a rapidly expanding population, an overwhelming level of poverty, widespread illiteracy, and an unmatched level of diversity, but it is also located in a region that is prone to instability. Furthermore, India has made substantial strides in a number of areas, including but

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not limited to agriculture and food production, science and technology, the development of a skilled technical workforce, and higher education. Although there have been many great advancements, there are still other areas in which the country of India is falling behind other nations. According to the United Nations Development Programme's (UNDP) human development index (HDI), which rates nations based on their levels of human development, India is ranked 132 out of 175 countries. It is still regarded to be a developing nation. When it comes to the matter of competitiveness on the global economic front, it ranks fifty-eighth out of fifty-three nations, according to the World Competitiveness Index. When it comes to the issue of corruption, the record of India is pretty poor, as it is placed sixty-sixth out of eighty-five in the Corruption Perception Index, which is maintained by the German non-governmental organization Transparency International. This index ranks nations in accordance with the level of corruption that is seen to be present in the country. It goes without saying that the three indicators mentioned above have a direct impact on the manner in which things are managed.

2. Good Governance:

A centralized drive is essential for any event or program to ensure that all stakeholders are well-prepared. It may be described as a process of decline and elevation. It is worth noting that the 73rd Amendment was not a reaction to the pressure that was being applied from the ground up, as was its proclaimed objective of democratic decentralization. Rather, it was a reaction to a growing realization that the institutional initiatives that had been implemented over the course of the previous several decades had not produced the desired outcomes of promoting equity and social justice. The 73rd and 74th Constitutional Amendment Acts, as well as the succeeding state-specific Panchayati Raj Acts, were passed in India as a result of the increasing belief that a large government is incapable of achieving progress and development in a society without the active involvement and initiative of the people. This process of decentralization of power, provision for participation of citizens in local decision making and implementation of schemes affecting the livelihood and quality of life was pushed vigorously with the aim to accelerate thus the 'top down', process of government to an interactive process and thus make inroads in to the internationally acclaimed standards of good governance

3. Right to Information Act and Transparency and Accountability:

The Right to Information (RTI) is a legislative framework that enables individuals to get information from public bodies, therefore encouraging openness and accountability in government. The implementation of this procedure guarantees that the choices and activities of the government are subject to public examination, which makes officials responsible for their actions and contributes to the suppression of corruption as well as the promotion of good governance. The Right to Information (RTI) Act assists in the transition from secrecy to transparency by providing the general public with access to information that is held by the government. This gives individuals the opportunity to see the process of decision-making and the allocation of public monies, which ultimately results in a more responsible and truthful use of resources. The Right to Information Act (RTI) imposes a duty of accountability on public officials in that it grants individuals the authority to request information and so hold these officials accountable for their actions as well as for the operation of government agencies. This gives citizens the authority to challenge and address mismanagement and corruption when they occur.

4. Major Aspects of the RTI Act - 2005

- **Right to access information:** Any individual may submit a written or electronic request to any public authority under the Act for the production of records, files, papers, etc.
- **Empowerment:** It gives the people more authority by allowing them to take part in the administration of government in a more effective manner and to hold the government responsible for the things that it does.
- **Streamlined process:** The "RTI Online Services" site offers a single platform for submitting applications and monitoring their status, hence enhancing efficiency and transparency in the process.
- **Penalties for non-compliance:** If public information officers do not disclose information within the allotted period, the Act contains provisions for sanctions.
- **Appeals:** If a request for information is refused or dealt with in an insufficient manner, citizens have the right to appeal to authorities of a higher rank.

5. Accountability:

Accountability, which is an essential component of the RTI, functions as a critical tool for ensuring that individuals are held responsible for the effectiveness of their governance. It guarantees that representatives are held accountable by the population for their decisions, making sure that the legality of their decisions is in accordance with the public's interest in getting clarifications. Accountability is extremely important to consider since, when authority is given to governments, it is implicitly understood that they are required to be accountable to the people; they do not have the exclusive right to distribute information in a manner of their own choosing. Independent organizations, such as the National Accountability Bureau (NAB) in Pakistan, play a critical role in aiding this accountability process. In order to ensure that representatives, who serve as agents of the electorates or principals in a democratic system, are held accountable for their acts in front of those who have selected them, they must be subject to a process that requires them to demonstrate accountability. Jennifer Shkabatur, in her scholarly writings, echoes this sentiment, stating that the people should have the power to shape their government and hold their representatives accountable in a democratic society. Two essential parts of accountability are explanation and justification. The author delves into the interdependent nature of RTI and accountability, recognizing that RTI is not a panacea for accountability but rather a necessary component. Making public officials liable for their acts and holding them accountable through voter-conducted elections are two examples of the many settings in which the term "accountability" may be understood. All things considered, a democracy cannot function without accountability.

6. Transparency:

Mitchell (1998: 109) defines transparency as the correct and consistent dissemination of information. In short, a transparent political system is one that either provides or permits the gathering and sharing of accurate information about itself, its operations, and the country as a whole. Kopits and Craig (1998) define transparency as "openness toward the public at large regarding government structure and functions, fiscal policy intentions, public sector accounts, and projections." Easy access to reliable, comprehensive, timely, understandable, and globally comparable information on government operations is essential for the public and financial markets to evaluate the government's financial health as well as the true costs and benefits associated with government operations, including their immediate and future economic and social ramifications. An increase in the flow of timely and trustworthy economic, social, and political information that is available to all important stakeholders is what Vishwanath and Kaufmann (1999) mean when they talk about transparency. To better understand transparency—"the release of information by institutions that is relevant to evaluating those institutions"—Bellver and Kaufman (2005) continue Florini's (1999) study. Because openness helps with evaluating public organizations, the data given must reflect how well those institutions have done their jobs, according to Bellver and Kaufman (2005). The "depth of access it allows," "the depth of knowledge about processes it is willing to reveal," and the "attention to citizen response" are three indicators of a company's level of transparency. "An organization's willingness to let citizens monitor its performance and participate in its policy processes is directly correlated to the degree to which it is transparent, whether through its website or some other means." The idea of transparency encompasses a number of different aspects, including event transparency, process transparency, real-time transparency, and retrospective transparency. Decisions that are made in a transparent manner should be "clear, integrated into a broader context, logical and rational, accessible, truthful and accurate, open (involve stakeholders), and accountable."

7. The Indispensable Connection between Transparency and Accountability:

Transparency and accountability are mutually supportive of each other. The concept of "accountability" can be broken down into three essential components: enforcement, or the possible repercussions that may be implemented in the event that an action or the rationale for taking action is deemed to be insufficient; responsiveness, or the capacity of those in leadership to respond to requests; and dependence, or the requirement that actions be justified. Transparency, defined 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," is a thread that runs across these core elements. From the perspective of this opinion, the two concepts are connected along two different dimensions. The first dimension is the openness of information, which is required in order to demand accountability since, in the absence of this transparency, citizens are unable to recognize the ways in which the government is overstepping its bounds. Additionally, it is

thought that in order to encourage individuals to express themselves, there must be a higher degree of openness in the information that is available to them. The term "voice power" refers to the ability of individuals to exert influence on officials in order to ensure that services are delivered in a satisfactory manner. The concept of transparency and the potential it provides to enhance "say" and "engagement" has been given special consideration. As a result of citizens being motivated for collective action through information access, the incentive structure of frontline providers is expected to be enhanced (ibid). To summarize, the repeating trend appears to be that more transparency develops empowerment, which enhances "voice" in the context of increased engagement, and that exerting one's voice breeds responsibility.

8. The RTI Act – 2005 Effects: An Instrument for Accountability and Transparency in Governance:

In establishing a right to information for its inhabitants, India has taken the lead, being the biggest democracy on the planet. The 2005 Right to Information Act codifies this law. There has been a dramatic shift in the accountability of public officials, the way the government operates, and the way individuals interact with it. The Right to Information represents a fundamental shift in Indian governance, not only a legislative provision. A new era of transparency, engagement, and responsibility has begun with this massive piece of legislation, and as a result, people are more aware of their surroundings and more cautious than before. What we call "RTI" stands for "Right to Information." A powerful tool for holding governments accountable for their actions is the Right to Information Act.

The RTI Act 2005 is a significant law in India that altered the way the nation is run while granting citizens the freedom to get government information. It allows individuals to participate in the political process, obtain information, and monitor the actions of the government. It is a set of laws that gives people the ability to see the data that is kept by public organizations or government bodies. Unless there are additional limits for specific categories of information (such personal privacy or national security), RTI statutes guarantee that everyone has the right to examine a significant quantity of information maintained by the government. By allowing public access to official documents, files, and records, the Act increases the transparency of government agencies. This facilitates the examination of government procedures. When members of the public request information from government agencies, those agencies are obligated to respond as quickly as feasible. Because it enables citizens to uncover instances of misconduct and corruption, the RTI Act is an effective weapon in the battle against corruption in government agencies.

9. Conclusion:

RTI have the capacity to revolutionize society by fostering openness, guaranteeing accountability, and improving government. This research underscores the essential function of RTI in addressing corruption, promoting public engagement, and enabling individuals to make educated choices. The Right to Information (RTI) facilitates citizen access to governmental actions, therefore enhancing accountability and fortifying democratic processes. The tactics that have been provided by international financing organizations in order to accomplish the goal of good governance are currently being implemented in the real-world situations that are taking place in the Third World. The notion is being promoted as a cure-all for all of the political ailments that are affecting countries that have a democratic system of government. Good governance is classified as a government that is participative, reaches a consensus, is responsible, is transparent, is responsive, is effective, and is efficient, and is founded on the rule of law. The government of the day, that is to say, the government of the Third World, is expected to go in a definite path, evidently in consonance with LPG.

The state that is receiving aid is no longer able to maintain its autonomy in terms of deciding what constitutes effective governance for itself, which is based on its particular circumstances.

With respect to the specific example of India, the primary aim of good governance is the reorganization of the state-driven governance that is now in place in order to transform it into a governance system that is more favorable to the market. This may be metaphorically described as governance that is favorable to the people. As a result, it would appear that the phrase "good governance" is synonymous with "effective government," in the sense that the fundamental duties of the government are "developmental." Nevertheless, it is important to keep in mind that all governments fulfill a number of additional vital non-developmental functions, such as defending the nation's borders, conducting diplomacy, and maintaining domestic peace and order on a global scale. After 60 years of democratic

administration in India, academics and intellectuals have started working on good governance by acknowledging that it is not fashionable and that governance has deteriorated. In recent times, the groundbreaking Right to Information Act (2005) has come into force. It has been regarded as the most significant change in the field of public administration in India in the previous 60 years. This comprehensive law is the ray of hope that may drive out the storms of corruption and the darkness of secrecy while ensuring accountability and transparency, two qualities that are essential to effective governance. It can serve as a stimulant to help a new set of values emerge and to rekindle hope for a better society. A significant statute that promotes openness, accountability, and public empowerment in governance is the 2005 RTI Act. Openness and responsiveness in governance strengthen institutions and build trust in the government. However, delays in processing RTI requests, promoting public knowledge of the Act, and enhancing implementation measures to avoid misuse or exploitation are challenges. We may foster a well-informed democratic society by adopting the Act's principles and implementing it.

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