

## **Right to Information- Opened Up Pandora's Box**

**Surbhi Bansal**

Assistant Professor,  
Department of Commerce,  
Patel Memorial National College, Rajpura, PB 140401, INDIA.  
email:surbhi\_0601@rediffmail.com.

(Received on: March 12, Accepted: April 2, 2017)

### **ABSTRACT**

The main aim of the paper is to outline the significance of the right to information. Higher will be the accountability and lower will be the chance of corruption. This paper also include the problems been faced in fulfilling the right to the citizens and the loopholes in the framework. There are three wings of the Government. Judiciary, Executive and Legislature. The main objective of right to information is to have transparency and accountability in the system if this will focus only on two except judiciary then it will be contradictory to the right of information. The paper also includes how some people are using this for their personal goals and how the replies by the government officials leaves the person unsatisfied.

**Keywords:** Right to Information, transparency and accountability.

### **INTRODUCTION**

Right to information is the causeway of democracy in a country. The Indian Constitution has given the Right to Freedom of speech and expression under Article 19(1) (A). It include right to communicate through available media but where the disclosure of information is required proactively, it is often ignored or taken very lightly. The growing number of complaints and appeals are responsible to strain reinforcement execution for the new law. Right to information Act, 2005 has replaced freedom of Information 2002.

The main aim of the paper is to outline the significance of the right to information. Higher will be the accountability and lower will be the chance of corruption. This paper also include the problems been faced in fulfilling the right to the citizens and the loopholes in the framework. There are three wings of the Government. Judiciary, Executive and Legislature. The main objective of right to information is to have transparency and accountability in the system if this will focus only on two except judiciary then it will be contradictory to the right

of information. The paper also show how some people are using this for their personal goals and how the replies by the government officials leaves the person unsatisfied.

Despite all the odds and uncountable problems behind RTI it has survived without the administrative and political support. It has countered many difficulties in proper implementation and working still it has gain popularity. It has opened up new room to a democracy, Where people have the right to seek information from the government authority. Common person has become the Key Person to check the working of the Government which is witnessed in the 2G Spectrum Case and Coal Blocks Auction case during the UPA government. RTI has created a disarray in the government there is a lot of confusion among the authorities that which information is to be given to the public because this chaotic right is evolving corruption in hands of Bureaucrats and Politicians. Though due to red hand on the hierarchy they are refraining from proper implementation of this right.

### **Judiciary:**

In 2010, the supreme court itself filed an appeal on the reference of a three-judge Bench led by Justice Ranjan Gogoi, against a Central Information Commission (CIC) order. , directing the Chief Justice of India's office to disclose details of correspondence between the committee and the government on the appointment of three Supreme Court judges under the Right to Information Act.

Activist Subhash Chandra Aggarwal has requested for RTI for the concerned case, for the complete correspondence exchanged between the Supreme Court and the Centre on the appointment of Justice H.L. Dattu, Justice A.K. Ganguly and Justice R.M. Lodha superseding the seniority of Justice A.P. Shah, Justice A.K. Patnaik and Justice V.K. Gupta. Justices Dattu and Lodha went on to become the Chief Justices of India.

In November 2010, a two-judge Bench of the apex court led by Justice B. Sudarshan Reddy, found that the case raised “important questions of constitutional importance.”

### **Heat between Judiciary and Polticians:**

During the development of debate of transparency in judiciary, it has raised a big question among the people that "Can we reveal the Judicial Information?"

Heat turned on NDA government by the Chief Justice of India T.S Thakur on the Independence Day when CJI snubbed the government for not sparing a thought for the welfare of judiciary struggling under enormous pendency.

Incidentally, while keeping this case pending, the Supreme Court had in 2015 urged six national political parties, including the BJP and the Congress, to disclose their financial sources and assets under RTI

### **Open Culture:**

RTI has built a new open culture of Raising question in the country without discussing on, to whom the question is asked and who is going to answer the question. This leads to increase in the accountability in the government offices. The more the questions raised easier

will be to curtail the corruption. Government official will think twice to write anything on the file. There will be a check from root to the above level. It is true that RTI is the friendly ghost in the psyche of bureaucrats.

The RTI is no doubt littered, untidy, sketchy, inadequate and imperfect. But that is its strength: it acknowledges altercation and develops its own theory of relativity. Each issue has its many aspects. The RTI provides a platform for each view to engage with the other on the basis of a shared logic. It can help us get rid from policy sloth, and develop an well informed, equitable, healthy and strong decision-making process.

### **RTI: A Ray of Hope**

In the democratic country, where the promises are made in a while and twisted in another second. RTI has raised the hope of getting the reply. In 1996, a lawyer, who casually dropped in to talk at the first large RTI dharna in Beawar in central Rajasthan, said, "This is a great cause and issue, but let's forget about ever getting the law. No corrupt system is going to expose its rotten core." Even though RTI has been established, still the information given by the authorities are not relevant and up to mark due to its inefficiencies.

### **RTI Activists**

According to a conservative estimate based on the Information Commission's annual reports, there are at least 50 lakh RTI applications filed in India every year. The RTI is a law that has persuaded a new class of advocacy. RTI supporters do not only file RTI applications; they also invest innumerable hours, discussing sections, cases, applications, and answers. These are ordinary people who have suddenly become enthusiastic and even possessive about their particular connection to this law.

### **Digitization impacting RTI:**

RTI has become a tool for good governance. It empowers ordinary man to hold truth to power. Online information brings transparency which in turn build trust among the people. This law has started bringing change in the society and passed the first hurdle of democratic governance. The use of technology has made it more effective, less time consuming and cost effective.

This should have been occasioned for a democratic country to celebrate but unfortunately activists are being treated like hideous criminals. For the effective implementation, activists are to be awarded timely for their encouragement.

### **Suggestions**

1. To make government more transparent to public, RTI activist must cooperate with CIC and other areas where RTI activists must confront CIC.
2. Now days most of the banks are Core Banked and as it is mandatory to publish the names of PIO, APIO in there sites it should be mandatory to publish the account number of the organization so that fees can be deposited by transfer or net banking or mobile banking.

3. It should be also mandatory for organization to publish the names and how one can use RTI in Newspapers/ TV channels to make public aware as the insurance Co and Bank publish Ombudsman facility for customer grievances.
4. British has left India but now days we are ruled by Indians as British were ruling us so it is duty of Government to make aware the citizens that everyone has a right to know what is happening in offices and there should be provision in the act to penalize the PIO, APIO Heavily, if they are neglecting in performing their duty of giving information
5. The commission should straightaway order for the release of all the required information's without wastage of time, as the delay in release of information takes away liberty, finance, and causes many hardships to innocent people. And in any case where the investigations of the departments like CBI, DRI, Customs, DE, etc. are over, information should be provided. Almost all of these information's are required by the seeker to represent the facts and to seek justice.
6. People have started to use the act in large numbers. It is regrettable that the information commission's orders are not given due respect. Commission should concentrate on effective training of officials at the earliest. It is to be proposed to punish all erring officials. If the government officers understand the real value and seriousness of the Act, number of second appeals to the information commission will decrease.
7. All the information (Other than exempted) available with the Companies, Govt. Departments etc., which come under RTI area should be kept on their respective websites.

## **CONCLUSION**

RTI 2005 has taken a small and significant step to empower the ordinary man of the nation to progress towards greatness and also brought greater transparency into a system. But the full democracy can only be achieved not only by the delegations of authority but also by undertaking the responsibility to fulfill the obligations given under the RTI act 2005.

## **REFERENCES**

1. [www.rti.gov.in](http://www.rti.gov.in)
2. [www.cic.gov.in](http://www.cic.gov.in)
3. The Hindu, article "10 years after RTI transparency under cloud" March 16, 2015
4. The Hindu, article "RTI on political parties making parties accountable" July 10, 2015
5. The Hindu, article "Holding power to account" November 20, 2015
6. The Hindu, article "Digital India Compliments RTI" October 17, 2015