

GOVERNANCE AND RIGHT TO INFORMATION ACT

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ABSTRACT

The right to information Act 2005 is a comprehensive legislation enacted to confer statutory rights on the citizens of India for seeking information from any public authority. The Right to Information (RTI), which gave the citizens of India access to records of the central government and state governments, was thought to be one of the most revolutionary pieces of legislation in modern India which can make India one of the most advanced democracies. Because this Act has given people the right to actually participate in governance, which is the essence of what we call inclusive growth. The first privilege of the any state is Good Governance. It is prerequisite for democracy. Such governance includes some factors such as transparency, accountability, rule of law and peoples participation. India is a democratic country and in every democratic country, there is a need of good governance and transparency.

KEYWORDS: Governance, Responsiveness, Accountability, Corruption, Administration

INTRODUCTION

The right to information act is popularly known as RTI Act. It has become a very important law that was enacted by the Indian Parliament in recent years. It has been proved as a very powerful tool for common people and social activists to fight against corruption and to have a better control upon officers of various government departments and agencies and also to protect their legal and constitutional rights. The transparency of the public authority information has increased. The secrecy of various kinds of information from public authority has reduced largely and resulted in transparency and accountability for a better democracy. India is a democratic republic state. Here the Government is of the people, by the people and for the people. Therefore the people of our country have the right to know about state affairs. Freedom of information brings openness in the administration which helps to promote transparency in state affairs, keep government more accountable and ultimately reduce corruption. The free flow of information is must for democratic society as it helps the society to grow and to retain a continuous debate and discussion among the people.

Moreover there is a close link between right to information and good governance. Good governance is characterized by transparency, accountability and responsiveness. Consequently, the citizen's right to information is increasingly being recognized as an important mechanism to promote openness, transparency and

accountability in government administration. People are the sole part in a representative form of government. So it is necessary that they must have to know all the functioning of government activities to frame a practical regime of good governance in administrative process.

GOOD GOVERNANCE

Good Governance is about the processes for making and implementing decisions. It's not about making 'correct' decisions, but about the best possible process for making those decisions¹.

The main elements of good governance are as under.

PARTICIPATION

All men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their interests. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively.²

TRANSPARENCY

People should be able to follow and understand the decision-making process. This means that they will be able to clearly see how and why a decision was made – what information, advice and consultation council considered, and which legislative requirements (when relevant) council followed.

ACCOUNTABILITY

Accountability is a key requirement of good governance. Without accountability, the root of any development failure cannot be traced. Hence not only governmental institution but all private and civil society organizations must be accountable to the public and to their institutional stakeholders. Accountability is one of the prerequisites of democratic or good governance.³

CONSENSUS ORIENTATION

Good governance mediates differing interests to reach a broad consensus on what is in the best interests of the group and, where possible, on policies and procedures.

GOOD GOVERNANCE IS RESPONSIVE

Local government should always try to serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner.⁴

RULE OF LAW

¹ <http://www.goodgovernance.org.au/about-good-governance/what-is-good-governance/>

² D:\governance\Characteristics of Good Governance

³ International Journal of Humanities and Social Science Invention ISSN (Online): 2319 – 7722, ISSN (Print): 2319 – 7714
www.ijhssi.org Volume 2 Issue 2 | February, 2013| P.47

⁴ <https://www.quora.com/What-is-good-governance>

Good governance requires fair legal frameworks that are enforced impartially. A fair, predictable and stable legal framework is essential so that businesses and individuals may assess economic opportunities and act on them without fear of arbitrary interference or expropriation. This requires that the rules be known in advance, that they be actually in force and applied consistently and fairly, that conflicts be resolvable by an independent judicial system, and that procedures for amending and repealing the rules exist and are publicly known.

CORRUPTION IN INDIA

Corruption is one of the burning issues and has become a matter of serious discussion across the globe. Not only in the mainstream media worldwide, from the last many years, corruption has become an important issue of discussion on the social media as well. There are hundreds of separate pages created by various groups, associations, NGOs, discussing corruption, and issues related to it. Broadly speaking corruption is directly affecting the nations and people at large. Corruption undermines institutions of democracy, and creates of bureaucratic swamps, which in-turn affects the economic growth of countries and nations. Transparency International's 2016 Corruption Perception Index ranks the country 79th place out of 176 countries.

In India Right to Information is the need of hour. Human security, shelter, food, environment and employment opportunity are all bound up with right to information. In the absence of information on this issue, people cannot live a dignified life and will remain ever marginalized group in the society. It is a powerful instrument to protect the fundamental rights of people. Corruption and criminalization is the nerve of Indian bureaucracy today. The secrecy they have maintained is a source of corruption and harassment. Though India is the world largest democracy, it now fails to attain confidence from common people. As a taxpayer, each person should have the right to know the functioning of government machinery. In addition to this, in a democratic country, citizen can be regarded asset only when citizen develop the skill to gain access to information of all kinds and to put such information to effective use.⁵

MAJOR FACTORS RESPONSIBLE FOR CORRUPTION:

- The most important factor is the nature of the human being. People in general, have a great thirst for luxuries and comforts and as a result of which they get themselves involved in all deceitful activities that result in fiscal or material benefits.
 - Moral and spiritual values are not given utmost importance in educational system, which is highly responsible for the decline of the society.
 - The salary paid to employees is very not as much of and as a result of which they are forced to earn money by illegal ways.
 - The punishments imposed on the criminals are inadequate.
1. The political leaders have ruined the society completely. They lead a comfortable life and do not even care about the society.
 2. People of India are not awakened and enlightened. They fear to raise their voice against anti-social elements prevailing in the society.

⁵ International Journal of Humanities and Social Science Invention ISSN (Online): 2319 – 7722, ISSN (Print): 2319 – 7714
www.ijhssi.org Volume 3 Issue 7 | July. 2014| P.54

MEASURES TO CONTROL CORRUPTION:

There are some specific measures to control increasing corruption.

1. The Right to Information Act (RTI) gives one all the required information about the Government, such as what the Government is doing with our tax payments. Under this act, one has the right to ask the Government on any problem which one faces. There is a Public Information Officer (PIO) appointed in every Government department, who is responsible for collecting information wanted by the citizens and providing them with the relevant information on payment of insignificant fee to the PIO. If the PIO refuses to accept the application or if the applicant does not receive the required information on time then the applicant can make a complaint to the respective information commission, which has the power to impose a penalty up to Rs.25, 000 on the sinful PIO.
2. Cooperation of the people has to be obtained for successfully containing corruption. People should have a right to recall the elected representatives. if they see them becoming indifferent to the electorate.
3. More and more courts should be opened for speedy and inexpensive justice so that cases don't linger in courts for years and justice is delivered on time.
4. In many cases, the employees opt for corrupt means out of obligation and not by choice. Some people are of the opinion that the wages paid are insufficient to feed their families. If they are paid better, they would not be forced to accept bribe.⁶

CONCLUSION

The right to information act is an agent of good governance. The RTI makes administration more accountable to the people. The people become aware of administration and give them an opportunity to take part in decision making process. The RTI Act has given a historic opportunity to root out corruption and the culture of secrecy from the Indian government affairs and pave the way for governance reform, greater accountability and transparency in government affairs. Across the country, a growing number of people are using the RTI applications as a weapon to fight corruption and demand their rights. The RTI is enabling people to say no to bribes. It is an all-encompassing act with consequences that have prompted some to say that it is the most important legislation since independence.

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