

Towards Transparent Governance In India: Evolution, Achievements And Challenges

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ABSTRACT

Public governance and its measurement are a very complex task in today's world. As of late, governments have needed to alter the manners by which they have customarily worked and defined their role for the society earlier. The reasons for the shift are liberalization and globalization of market, democratisation of societies, and the development and spread of information and communication technologies. Subsequently, because of this, complex and overlapping new governance paradigm, the role of government has had to become more transparent and participatory in order to work cooperatively with different stakeholders. In this context, this article discusses the conditions in which the demand for transparent governance and information was made by the people. This paper attempts to describe the evolution of transparency in public governance. It also focuses on changes in the prevalent culture from the secrecy to openness in the public governance which is successful. Finally, it goes on to list its achievements and note the challenges faced by the system.

Keywords: Governance; Transparency; Right to information; Participation; Civil Society

'Information is now a crucial determinant of the pace of social and economic change'.
Report of the South Commission (1990)

1. Introduction

Nowadays, the term 'governance' has become a widely debated topic in public discourse. Since the beginning of 1980s, governance has also become a significant concept for the social science academicians, researchers and practitioners. Many believe that it is an answer to many problems in the society, if not all. The roots of governance can be found in the Greek word *kybernan*, which means to steer or to pilot a ship, but the concept was also used during the Roman Empire under the Latin word *gubernare*, meaning to direct, rule and guide. Apparently, its meaning has changed over the centuries and, nowadays, governance can be broadly understood as the interaction between governments, business stakeholders and non-profit organizations by which policy decisions implementations are undertaken. The World Bank in its Report on Governance and Development (1992) defined governance, as the manner in which power is exercised in the management of a country's economic and social resources for development. Francis Fukuyama defined governance as a government's ability to make and enforce rules and to deliver services, regardless of whether that government is democratic or not [1]. According to Goran Hyden, governance mainly refers to the running governments and other public agencies for social change. For many academicians and practitioners, the term governance is a complex set of structures and procedures in public and private systems, for other popular scholars it is synonymous with the government. Presently, the need to expand governance capacity and confidence in government is extensively recognized as crucial to handle with the challenges and opportunities of globalization.

2. Brief Global Roots of Information Rights

As James Madison rightly have stated, "Knowledge will forever govern ignorance and a people who meant to be their own governors must arm themselves with the power knowledge gives." Historically speaking,

Information Rights have a very long history of more than 250 years. Officially, world's first law related to the Freedom of Information was passed in Sweden in the month of December 1766. Indeed, the Right was provided for in the Constitution itself. The idea that disclosure of information is the rule unless clear legal provisions prohibit it underlie Sweden's open access regime. Therefore, this law established the press freedom and that stake included the government, courts, and parliament. Anders Chydenius, a Finnish enlightenment thinker and politician, played a crucial role in creating this new law, and gave the world an insight into the benefits of a transparent democracy. Table [1] shows a brief history of the important Access of Information Laws passed by the different countries since 1766 and the UN bodies.

Table 1: Showing important Access of Information Laws passed by different countries

S. No.	Year	Acts	Name of the Countries/ Organisations
1	1766	Freedom of Information Act	Sweden
2	1789	Declaration of Human and Civic Rights	France
3	1946	The United Nations General Assembly Resolution	United Nations
4	1951	Law on the Public Character of Official Documents	Finland
5	1948	The Universal Declaration of Human Rights	UNHRC
6	1966	The Freedom of Information Act	USA
7	1970	Information Access Laws	Denmark

Next in the line is the Declaration of French Constitution on August 26, 1789 when it declares of Human and Civic Rights to the people of the country. The Article 14 of this Declaration of French Constitution states that: "All citizens have the right to ascertain, by themselves, or through their representatives, the need for a public tax, to consent to it freely, to watch over its use, and to determine its proportion, basis, collection and duration. While this cannot be taken as an assurance of a right of access to information from those responsible to the public, there is a hint of a French citizen's "right to know" on where the taxes he pays are being spent.

In 1946, the United Nations General Assembly passed a resolution with regard to Freedom to Information which states that "Freedom of Information is a fundamental right and is the touchstone of all the freedoms to which the United Nations is consecrated. The General Assembly recently reaffirmed that everyone has the right to freedom of expression. In doing so, it acknowledged the significance of freedom of expression, free, independent, plural, and diverse media, and access to information, both online and offline, in establishing inclusive and peaceful knowledge societies and democracies, as well as in promoting intercultural dialogue, peace, good governance, understanding, and cooperation.[2]

In the year 1951, Finland passed the most awaited *Law on the Public Character of Official Documents*. In the year 1970 the two other Scandinavian countries Denmark and Norway passed their Information Access Laws. The laws of Finland, Denmark and Norway are not as open as the Swedish Freedom of Information Act does. However, the people do not have a constitutional right to access information.

3. Indian Journey to Transparent Government

The root of Right to Information in India can be traced back to 1977 when Morarji Desai led Janata Party promised in its manifesto about "an open government," and declared that it would not 'misuse the intelligence services and governmental authority for personal and partisan ends.' To fulfill its promise, Janta Party government in the same year appointed a committee to ascertain whether the Official Secrets Act, 1923 could be modified so as to facilitate greater flow of information to the public. However, the committee suggested for no change in the existing law and the door for openness and transparency was closed.

While pronouncing its judgment in 1986 in the case of *Mr. Kulwal v/s Jaipur Municipal Corporation*, the Supreme Court gave clear-cut directive that "Freedom of Speech and Expression provided under Article 19 of the Constitution clearly implies Right to Information as without information the freedom of speech and expression cannot be fully used by the citizens." In 1989, V. P. Singh led government also renewed commitment towards ending Official Secrets Act and providing access to information to the public but failed in doing it.

But, during the last decade of 20th century, the right to information has got an impetus as never before and on the civil societies side also some organizations; social activists and individuals did excellent work in this field. In 1994, Mazdoor Kisan Shakti Sangathan (MKSS), a labor rights organization, launched a grassroots campaign for the right to information, demanding information about development works in rural Rajasthan. This movement grew, and in 2000 the campaign led to the Rajasthan government enacting a law on the right to know. In 1996, one of the several civil society organisations – the National Campaign for the Rights of the People to Information (NCPRI) – was founded with a view to provide legal protection to people's right to information with the introduction of RTI legislation.

Even as calls for a national right to information legislation persisted, some States have already started to pass their own regulations on access to information. Activists did not consider such Actions to be as very effective

transparency compliance devices. Neither were people agreeable to these rules. Most of the regulation had neither constructive disclosure requirements nor specific penalty clauses, nor does even a broad description of what the information constitute. In certain cases, there was a long list of restricted records and information from the rules. The State Governments those enacted the Right to Information Acts are given in Table [2].

Table 2: State wise passing of Right to Information Laws in India

Sl. No.	Acts	Year
1	The Tamil Nadu Right to Information Act	1997
2	The Goa Right to Information Act	1997
3	The Karnataka Right to Information Act	2000
4	The Rajasthan Right to Information Act	2000
5	The Assam Right to Information Act	2001
6	The Delhi Right to Information Act	2001
7	The Orissa Right to Information Act	2002
8	The Maharashtra Right to Information Act	2002
9	The Jammu and Kashmir Right to Information Act	2003

In keeping with the National Democratic Alliance's pledge, the new alliance to enforce the National Governance Agenda introduced the Freedom of Information Act, 2000 in Parliament. After being pending for about two years, the Bill was eventually passed by the Parliament on December 4th, 2002 and on January 6th, 2003; it received the President of India's assent. In 2004, a National Advisory Council (NAC) was appointed by the UPA government to oversee the implementation of government schemes and advise government on policy and law. The NAC has proposed amendments to the then current Freedom of Information Act, 2002. As applicable only to the Government of the Union, the RTI bill 2004 was tabled in Parliament. Civil society organisations protested against the law, because the bulk of the knowledge the common man needs are from State Governments and not from the Central Government. The Right to Information Act, 2005 was passed, with 150 amendments, despite strong lobbying by NCPRI and other organizations.

This Act received the president's assent on 15 June, 2005. The RTI Act was notified in the Gazette of India on 21 June, 2005 and it became fully operational on 12 October the same year.

4. RTI A Step towards Transparent Governance

Democracy is meaningful only when the performance of elected representatives, bureaucrats and other functionaries acting on behalf of the government can be audited by the members of the civil society. To be able to audit the government's performance, the people need to be well informed about its policies, actions and failures. An informed and educated citizenry is a prerequisite for a democracy. The true measure of good democratic governance is a straightforward, easy-to-understand and logical formulation of policies. People should have the right to know how and why government makes certain decisions. They should be able to judge the quality of governance, not simply by announcing decisions based on individuals, but with the aid of a right to assess, review and even gain the requisite knowledge about the quality of decisions. That is the only way to prevent a lack of governance accountability and create trust. Hence, the enactment of the Right to Information Act, 2005 is the most effective step on the part of the Government of India. The Act provides a foundation for the construction of a just and awakened society. It makes governance more citizens centric, equitable and egalitarian in its approach.

Transparency is generally regarded as a key feature of good governance, and an essential prerequisite for accountability between states and citizens. At its most basic, transparent governance signifies 'an openness of the governance system through clear processes and procedures and easy access to public information for citizens [stimulating] ethical awareness in public service through information sharing, which ultimately ensures accountability for the performance of the individuals and organisations handling resources or holding public office' [3]. According to Transparency International, transparency is a 'characteristic of governments, companies, organisations and individuals of being open in the clear disclosure of information rules, plans, processes and actions.[4]

The Transparent governance implies openness of the governance system through clear processes and procedures enabling good access by citizens to public information. High levels of transparency stimulate awareness of responsibilities and standards in public service through information sharing, which ultimately ensures the accountability of individuals and organizations that handle resources and/or hold public office for their performance. There are three dimensions of accountability: (i) financial accountability through the use of power and authority to report on intended and actual use of resources; (ii) political accountability through a system of checks and balances among the executive, legislative, and judicial branches; and (iii) administrative accountability through internal governmental controls, which include civil service standards, incentives, administrative reviews, and oversight. A lack of transparency increases inefficiency and corruption in governance. The three dimensions of accountability eventually contribute to trust building in government [5].

Many empirical studies have proved that there is a strong link between transparency and accountability. Through transparency, the public servants prove that the principle of accountability and responsibility are being respected. Transparency refers to unfettered access by the public to timely and reliable information on decisions and performance in the public sector, while, accountability refers to the obligation on the part of public officials to report on the usage of public resources and answerability for failing to meet stated performance objectives [6] As long as accountability remains a duty for the public officials to report for their actions, then, the transparency becomes a practice.

5. Achievements of the Right to Information Act

India is the land of largest democracy in the world. The Right to Information Act, 2005 guarantees that the people we put in charge are still accountable to us and by no means can they unilaterally manipulate public funds. It is one of the most powerful laws in people's hands which empower them to seek information from the public institutions and the government.

RTI workers and activists have unveiled a number of horrific scams like Adarsh Housing Society scam, 2G scam, Coal scam, Commonwealth scam, Red Cross Society scam, Pratibha Patil land controversy and many more. The Table [3] shows some of the key information during 2005-06 to 2021-22 on number of Public Authorities, viz: (i) Number of registered public authorities with the Commission, (ii) Opening balance of RTI requests, (iii) Total number of RTI requests (Opening balance of RTI requests + No. of RTI requests received), (iv) Number of requests for information rejected, and (v) Percentage of rejection vis-à-vis number of applications received during the reporting year. A significant downward change has been noticed in the trend of rejecting RTI requests by the public authorities during the different years. In fact, this is the lowest rejection percentage observed since inception of the Commission. The number of RTI applications received had increased in the reporting year 2021-22 by 6.55% in comparison to 2020-21. In 2020-21 the RTI application received have decreased and was 2.94% lower than the previous year of 2019-20. The number of RTI applications received in 2019-20 has marginally increased by 0.30% in comparisons to 2018-19. The number of RTI applications received had increased by 11% during 2018-19 in comparison to previous year 2017-18. An increase of 34.67% was observed in 2017-18 in comparison to 2016-17. An increase of 5.48% was observed in 2015-16 in comparison to 2014-15. There was a decrease of 9.46% in 2014-15, whereas an increase of 2.18 % was observed in 2013-14 in comparison to respective previous years. Thus, a fluctuating trend is seen in the receipt of RTI applications during different years [7].

Table 3: Disposal of RTI Applications by Public Authorities during 2005-06 to 2021-22

Year / Key Aspects	Number of Public Authorities Registered with the Commission	Opening Balance of RTI Request	No. of RTI Requests Received	Number of Requests for information rejected	%age of rejection visa-vis number of applications received during the reporting year
2005-06	938	0	24436	3387	13.9
2006-07	1412	12026	171398	15388	9
2007-08	1597	23926	263261	18966	7.20
2008-09	1770	32792	329728	23954	7.26
2009-10	1847	97474	529274	34057	6.43
2010-11	2149	137771	417955	21413	5.1
2011-12	2314	76016	629960	52313	8.3
2012-13	2333	75331	811350	62231	7.70
2013-14	2276	128447	834183	60127	7.21
2014-15	2030	89785	755247	63351	8.39
2015-16	2024	188538	976679	64666	6.62
2016-17	2092	212430	915749	60428	6.59
2017-18	2079	215466	1233207	63206	5.13 (*)
2018-19	2145	259919	1370129	64344	4.70
2019-20	2193	310110	1374315	58634	4.27
2020-21	2275	348410	1333802	51390	3.85
2021-22	2278	410907	1421226	53733	3.78

Note: (*) During 2017-18, rejection was 4% when opening balance has been taken into calculation.

Source: The Annual Report, 2021-22, Central Information Commission. Page 12.

6. Challenges to the RTI Act

After 14 years, the Right to Information Act was passed by the Parliament on May 12, 2005, and implemented in October same year, but its efficiently implementation remains under question and transparency and accountability seems to be under threat in India. RTI experts mentioned poor record-keeping practices within the bureaucracy, lack of infrastructure and staff for running Information Commissions, and dilution of supplementary laws such as the one for the protection of whistleblowers as

reasons for this. Apart from above challenges following are some other challenges that need to be discussed in detailed.

6.1 High Level of Pendency of Cases

One of the most important problems faced by the accountability system in India is the high backlog in the processing of grievances and appeals by information commissions. Such backlogs mean that claimants must have to wait several months, even years, for their cases to be heard in ICs, undermining the RTI law's objective of ensuring time-bound access to information.

The question of delay and backlogs is particularly very problematic with the disadvantaged class of the Indian population using the RTI Act in order to make the government accountable for the provision of the services and to collect information on their basic rights like subsidized rations, old age pensions and minimum wages. This seems to be a very difficult process to submit a request for information and to make a request / appeal to the IC in the event that the requested information is refused. When the Commissions experience significant delays, the statute is useless to them.

The number of appeals and complaints pending as on March 31, 2019 in the 26 information commissions, from which data was obtained, stood at an alarming figure of 2,18,347. As of March 31, 2019, the maximum number of appeals/complaints was pending in Uttar Pradesh (52,326) followed by Maharashtra (45,796) and CIC (29,995). The comparative data for these three Commissions shows that the number of cases pending increased 20% between March 31, 2018 and March 31, 2019. There were no backlogs in the SICs of Meghalaya, Sikkim and Tripura as of March 31, 2019 [8].

6.2 Quantum of Penalty Imposed on Public Officials

RTI Act empowers information commissions to impose penalties of upto Rs. 25,000 on erring Public Information Officers (PIOs) for violations of the RTI Act. As per the Report of Satark Nagrik Sangathan, 2019 it was found that for the period January 1, 2018 to March 31, 2019, the 25 Commissions, which provided relevant information, imposed penalty in 2,455 cases (appeals and complaints). Penalty amounting to Rs. 3.15 crore was imposed by 26 Commissions which provided the relevant data whereas the SICs of Maharashtra and Uttar Pradesh did not provide the requisite information on penalties imposed. Actual penalties were imposed in 2,091 cases - only in 3% of the cases where penalties were potentially imposable. The ICs therefore did not impose penalties in 97% of the cases where penalties were imposable [9]

The laxity in enforcing punishments encourages PIOs to take liberties with the RTI Act, at the public's expense. It results in a large number of unanswered requests and an equal number of delayed or unlawfully refused requests, resulting in a large number of appeals and complaints to the Commission, and a consequent long wait for appeals and complaints to be considered. Consequently, by not enforcing only the constitutionally required and compulsory fines, information Commissions increases their own work-load and promotes delays and unlawful public denials.

6.3 Violence against the RTI Activists

A total number of eighty-four RTI workers or whistleblowers have lost their lives in attacks supposedly by those whom the whistleblowers had exposed using the RTI Act since 2005. However, the government does not maintain any data that talks about the number of RTI activists and whistleblowers killed, harassed and intimidated.

The Commonwealth Human Right Initiative (CHRI) has set a tracker with title 'Hall of Shame-Mapping Attacks on RTI Users' maintains the data of the RTI activists killed, assaulted and threatened. As per this Report, 84 RTI activists have lost their lives since 2005 when RTI act was enacted and out of these, 7 were suicides while the rest 77 were alleged murders. The number of RTI activists assaulted and harassed or threatened since 2005 is 169 and 183 respectively [10].

6.4 Poor Record Management Practices

The proper and effective record management is core to the processing of RTI applications. Ineffectiveness of data management systems and information collection practices from field offices contributes to delays in the delivery of information. As per the PricewaterhouseCoopers (PWC) Survey (2009), [11] 38% of the PIOs cited the poor record management system as a reason for delays in dispensation of RTI applications. Further, a huge number, 79 percent of PIOs blamed collecting information from field offices as a cause of delay. Such results suggest that a poor record management system is being implemented, while crucial field level knowledge at the higher hierarchy levels is not available. It was also found that keeping records was a problem area even in the ministries of the Central Government.

6.5 No Gender Balance

According to the Satark Nagrik Sangathan Report Card of Information Commissions in India 2018-19, the Commissions' gender makeup is completely misrepresented. Only 10 per cent of all information Commissioners around the country has been women since the passage of the RTI Act in 2005. Gender equality is also worse in terms of Chief Information Commissioners, with women being fewer than 7 per cent members. Clearly more needs to be done to resolve the lack of women's participation in information commissions [12].

6.6 No Adequate Authority to the Information Commissions to Enforce their Decisions

Another important challenge before the present RTI Act is that CIC and other Information Commissioners of Central or States Governments do not have adequate authority to enforce their decisions. The Act, in many ways a path breaking, did not grant the Information Commissions enough power to implement their decisions. In addition to granting a claimant compensation for any losses suffered, Commissions may direct public authorities to take the necessary steps to comply with the Act, but are helpless if such directions are ignored.

7. RTI and few Success Stories [13]

7.1 Road repair through RTI

T K Sreejeeth Vijay is a class VIII student of Kamaraj English Medium School, Port Blair, Andaman Islands, was greatly inconvenienced by a road that needed repairs. On November 16, 2012, Vijay submitted an RTI application to the Port Blair Municipal Council (PBMC) and the Andaman Public Works Department (APWD) on the advice of his father. He had to appear before the Assistant Engineer I (Water Works), PBMC, on December 6, 2012, because the location was unclear in his RTI application. With the use of Google images, he described the location of the road, and pictures shot on mobile devices demonstrated the poor state of the road. The applicant was told that information would be delivered shortly after being given the location specifics of the road. The very next day, the road repair project was started with the highest priority. According to a local newspaper, "While PBMC began the road's repair work, APWD forwarded the above mentioned RTI application to the concerned PIO to deliver the information on time and with a reminder letter. The young RTI user was provided with both copies. Vijay became the Andaman and Nicobar Islands' youngest RTI user.

7.2 RTI helped in Uprooting corruption in FPS

The two fair price shops in Bhadresh Wamja's village, Saldi, which is about 225 kilometers from Gandhinagar in Gujarat, never seemed to have enough supplies of wheat, rice, and kerosene. Bhadresh Wamja was a second-year B.Com. student at the time and was perplexed by this. When Bhadresh visited one of the FPS one day, the shopkeeper told him that he had not received any wheat, rice, or kerosene from the government for a number of months.

Bhadresh used RTI "in the greater interest of the village" as a result of that. By coincidence, a prominent Gujarati newspaper published a chart with the costs per kg and a chart detailing the monthly allotments of food and kerosene that families above the poverty line (APL) and below the poverty line (BPL) should receive. On February 11, 2011, Bhadresh sent an application for information (RTI) to the tehsildar of Lilia Taluka in order to learn more about the monthly supplies made to his village's fair-price shop between August 2010 and January 2011. The shopkeeper was given a 15-day deadline by the tehsildar to reveal the information. The FPS owner declined to comply.

Bhadresh filed a police report on the advice of Pankti Jog, a representative of the Mahiti Adhikar Gujarat Pahal (MAGP) in Ahmedabad. Additionally, he went to the District Supply Officer (DSO) office, where he discovered that between August 2010 and January 2011, the shopkeeper received both regular supplies of 8,306 kg of wheat and excess supplies of 1,599 kg of wheat. Records revealed that the shopkeeper had given ration card holders access to the whole stock. Nine out of ten ration card users had not received even one kilogram of grain in the previous six months, according to a tehsildar's random check when he visited Saldi. The District Supply Officer ordered an investigation after he was made to compile a report against the FPS. Bhadresh's initiative had prompted the Chief Information Commissioner of Gujarat to write the Secretary of the Food, Civil Supplies and Consumer Affairs Department on February 17, 2011, requesting proactive disclosure of ration supplies at FPS throughout the state in addition to tehsildar offices. All tehsildars and fair price shop licensees in Gujarat were directed by the Food, Civil Supplies and Consumer Affairs Department to proactively reveal ration supply information on the walls of fair pricing shops every week in an order dated 4 March 2011.

7.3 Exposing NGO for advertise in Appointment for Government Jobs

On February 14, 2016, the Ranchi, Jharkhand edition of Dainik Bhaskar, Hindi newspaper published an advertisement for numerous government jobs. This advertisement's heading was Gramin Khadya Yojana (Rural Food Scheme), and it stated that the Government of India had registered it. The District and Block Coordinator positions were open for applications, and the salaries mentioned were very lucrative. In the same advertisement, applications for dealers at the Panchayat level were also requested. This relates to a purported program known as Amrit Center (Food Distribution Center). Daily necessities would allegedly be made available to Jharkhand's rural population at a very low cost. The Zonal Office was shown to be in Dhanbad, and the Head Office was in Ranchi.

In the past, Vishnu Rajgadha and Amit Kumar Jha, who are connected to the Jharkhand Foundation, had bitter experiences with fraudulent NGOs that defrauded people in the pretext of employment. On February 18, 2016, Amit submitted an RTI application to the District Supply Office in Ranchi's office of the Public Information Officer. He requested information on the specifics of this scheme as well as records of any correspondence this NGO had, if any, with the Government. He also requested information on how to offer low-cost food to the general public. In order to determine whether any organisation could issue an invitation for an appointment on behalf of any government programme, he also requested a copy of the rules.

On February 27, 2016, the PIO at the district supply office in Ranchi gave the information, noting that neither the concerned NGO nor the government had ever contacted them about such a plan. The PIO further, added that there was no provision made for such a plan. The district administration took action against the NGO officials after consulting with the legal department, which resulted in the closing down of the NGO.

7.4 Corruption exposed and help provided to beneficiaries of Pradhan Mantri Gramin Awaas Yojana

In Kendrapara district of Odisha there was problem with allotment of houses and disbursement of grants under this scheme. The local block office and DRDA in connivance with local politicians made the beneficiaries under the scheme run from one place to another to receive grants under it. One of the aggrieved beneficiaries was Sukanta Dwivedy, a resident of Patkura Block in the hinterland of Kendrapara district. Despite paying Rs. 11,000 and battling red-tapism, he was unable to obtain the beneficiaries' list. Using RTI, Sukanta Dwivedy filed an RTI application to seek information about how the scheme was implemented in all 18 Gram Panchayats in Patkura Block.

According to the information given to him under RTI by the government officials, the Below Poverty Line (BPL) persons for whom government funds were intended had not received them. 747 BPL families in Patkura Panchayat were eligible for housing subsidies. For the Scheme, 1155 families received funds. However, because the payments were given to Above Poverty Line (APL) households, 189 genuine BPL families were not given grants. The RTI-obtained documents were sufficient to establish the embezzlement in a court of law. A probe was subsequently launched, and the BDO, Patkura, and the allotment of 1800 homes were both suspended.

7.5 RTI addressed grievances of survivor of pensioners

In Thanjavur district of Tamil Nadu, the State government collects Rs. 80 as subscription every month towards Family Security Fund from each of the 33,000 pensioners. The State government pays the survivors Rs. 50,000 following the death of the pensioner. A survivor must file an application for the Family Security Fund to the District Treasury in order to be eligible for this sum. The application is processed by the District Treasury Officer and sent to the Chennai Directorate of Pension, which then sends a cheque for Rs. 50,000 to the survivors. Same procedure is followed for the pensioners who underwent medical treatment as per the old Medical Health Insurance Scheme.

Many pensioners and the legal heirs of some deceased employees approached S. Rajendran after he assumed the position of District Treasury Officer in Thanjavur. They reported that despite applying, they had never received a cheque from the Chennai Directorate of Pension. When S. Rajendran contacted the Directorate, he was informed that some of the cheques had been returned to the Directorate as undeliverable even though they had been sent to the pensioners' postal addresses. He was unable to get information of the individuals whose cheques had been returned or the total number of the dispersed cheques. Using RTI S. Rajendran personally seek information about the returned cheques from the Directorate of Pension in Chennai's PIO pursuant to the Right to Information (RTI) Act. A few days later, the Joint Director of the Directorate of Pension, Chennai, paid a personal visit to the Thanjavur District Treasury and gave him a long list of unpaid cheques that had been returned because the pensioners' families had moved after the pensioner's death. The list also included cheques of the medical treatment of the Association of Pensioners. As a result of these efforts and RTI, 327 pensioners received cheques totaling approximately Rs. 1.5 crore on August 5, 2016.

8. Conclusion

Right to Information Act was hailed as most significant event in the democracy of India. It has provided people with the power to gain information and to use that information to assert their other rights and provide a check on the working governmental authorities by bringing transparency and accountability. However, the execution of RTI Act did not happen as was imagined. Transparency is the key to fostering the confidence of the people in public institutions. Government agencies tend to avoid true responsibility to the citizens of the nation they are meant to represent by refusing to reveal information about their operation. The legal obligation for central and state agencies to send annual reports to Parliament and State Legislatures respectively each year is to make their operations open and available for public scrutiny, among other items. However, very few agencies perform this role and do so on time and less so. Despite these changes, the culture of openness created by the RTI Act over the past decade has now made it easier for people to access parliamentary proceedings online and monitor various state legislatures' proceedings. Nonetheless, proactively, critics say, the legislatures in the northeast and lower courts have yet to put up information about their proceedings. For all the fact that the act has helped to increase state or institutional responsiveness, decrease corruption, create new democratic spaces for public participation, empower local voices, and make better use of the budget and deliver services better.

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