CHAPTER – 1

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1.1 ABSTRACT

In order to promote transparency and accountability in administration Parliament passed “Right to Information Bill, 2004 on 15th June, 2005, ‘The Right to Information Act’ was notified in the Gazette of India on 21st June, 2005; “An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority” (The Right To Information Act, 2005,pg. 1). After the Act came into existence, it has become evident that there are many anticipated and unanticipated consequences of the act. These have manifested themselves in various forms. There is a number of unfriendliness as well as erroneous perception has been observed from the pivotal implementing side i.e. public information officers. Hence, there was a need to evaluate the implementation of the Act based on actual data and information. The RTI Act is a means, not an end, for change, equity, activism, citizen participation and good governance. The better RTI is implemented, the better it is for everyone, including for those in the system contrary to what they think. Their credibility and respect in the society will go up. Therefore this felt important to have a research oriented look on the issue. The present study is a research oriented effort to analyze the perception and behaviour of the implementing authorities of the Act, the people who are on the helm of affairs, who are responsible to Act as per the law and satisfy the need of information seeker under the provisions and the people who seek relief against different administrative and system generated odder in the democracy. The present research thus aimed to focus on the variations in perception, approach and fictional behaviour of two important parts of the Act i.e. PIO and Information Seekers.

1.2 FRAMEWORK OF THE STUDY

Participation in governance is at the heart of any successful democracy. As citizens, we need to participate not only at the time of elections but on a day-to-day basis when decisions on policy, laws, and schemes are being made and projects and activities are being implemented. Public involvement not only enhances the
quality of governance but also promotes transparency and accountability in government functioning. But in reality how citizens can take part in governance? How can the public understand the way decisions are being made? How can ordinary people find out how tax money is being spent or if public schemes are being properly run or whether the government is acting honestly and fairly when it makes decisions? How can the government servants made answerable to the public they are supposed to serve?

One way of participating is by exercising the right to access information from bodies which spend public money or perform public services. Following the enactment of the Right to Information Act, 2005 (RTI Act) all citizens of India now have the right to access information. As per the view of Supreme Court of India “This is the new democratic culture of an open society towards which every liberal democracy is moving and our country should be no exception. The concept of an open government is the direct emanation from the right to know which seems to be implicit in the right of free speech and expression guaranteed under Article 19(1) (a) Therefore disclosures of information in regard to the functioning of Government must be the rule, and secrecy and exception justified only where the strictest requirement of public interest” (http://www.india-seminar.com/2001/5 02/502%20abhishek%20sin ghvi.htm). The RTI act recognizes that in a democracy like India, all information held by government ultimately belongs to the people. The act recognizes that the sharing of information by government with citizens is healthy and beneficial to the functioning of democracy. Secrecy should become the thing of the past; under the RTI act, no citizen can now be denied information that elected representatives such as MLAs and MPs can get from the government. The new law covers not only public authorities at the center but also all the states (except Jammu & Kashmir) and local self-government bodies. This means that citizens in every village, district, town or city across India can demand access to information held by public bodies across the country without giving any reason for seeking information; as written in Act “An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him” (The Right To Information Act, 2005, pg. 6).
Right to Information has created tremendous impact on the public sector functioning and with the help of this act a number of irregularities and scams are exposed by civil society members, journalists and common man. Due to the information revealed under this act many officials, politicians and others are accused or sentenced or facing trial for misuse of public fund, bribery and other misconduct in their public life. In last few years RTI has been used as a powerful weapon against the corruption.

**Table 1.1: Major scams exposed with RTI**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Scam</th>
<th>Case and Accused</th>
<th>Size of the scam(money wise)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2G scam(2010)</td>
<td>A. Raja (then Telecom Minister), M.K. Kanmozh( Rajya sabha MP), Siddharth Behura(Former Telecom secretary), R.K. Chandolia(Raja’s private secretary) and others.</td>
<td>Rs.1.76-lakh crore (Announced value)</td>
</tr>
<tr>
<td>2</td>
<td>Adarsh Housing Scam(2010)</td>
<td>Then Chief Minister Ashok Chavan’s kith and kin, Vilasrao Deshmukh Sushilkumar Shinde and Narayan Rane and army’s other officials.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Commonwealth Games scam(2010)</td>
<td>Suresh Kalmadi, MP, ex-Union minister and chief of the Organising Committee (OC), A. S. V. Prasad (joint director-general) and Surjeet LalPrasad (Deputy DG.).</td>
<td>Rs. 70000 crore</td>
</tr>
<tr>
<td>4</td>
<td>Road construction at Madhya Pradesh (2010)</td>
<td>Contractors and engineers</td>
<td>50 lakh</td>
</tr>
<tr>
<td>5</td>
<td>National Technical Research Organisation(NTRO), (2011).</td>
<td>The NTRO Chief PV Kumar and other higher officials</td>
<td>100s of crores (approx)</td>
</tr>
<tr>
<td>6</td>
<td>Public Distributions System(PDS) scam in Maharashtra (2011)</td>
<td>Officers involves in PDS and fair price shop owners of Maharashtra</td>
<td>Rs 25000 crores</td>
</tr>
</tbody>
</table>
1.3 RIGHT TO INFORMATION:

1.3.1 THE ACT STATES THAT-

a) Empowerment of every citizen with right to information from public authorities.

b) Detailed procedure as to how all public authorities are working

   i) To disclose information on their own

   ii) To provide information on request (demand)

c) Constitution of Information Commission for dispute settlement between citizens and public authorities on right to information.

d) Role of Government in empowering the citizens’ right to information including the capacity building and awareness.

e) How a citizen can exercise Right to Information.

The objective of this Act is to set out a practical regime (system) of right to information for citizen to secure access to information under the control of public authorities in order to promote transparency and accountability in the working of every public authority and constitution of Information Commissions (to adjudicate between citizens and public authorities for RTI enforcement). As Prime Minister says on inaugural address to the 6th annual convention of Central Information Commission "...I am sure we are all agreed that empowering our citizen with this right was a huge step forward in the direction of curbing corruption and improving process of government. There are issues which directly affect the life of every citizen of our country..." (http://www.cic.gov.in/convention-2011/Speeches/PMspeech.pdf) and as the Chief Minister of Assam, Mr. Tarun Gogoi said – “the act is to promote transparency and accountability in every sphere of public life by removing the evil of secrecy which is vital for any democracy. The RTI Act 2005 is an excellent platform for institutionalizing government (and other public authorities) and citizen partnership for national development." Thus on the basis of such experiences we can say that Right to Information Act is a positive step taken by government to make democracy accountable, transparent and open for interaction with common people.
1.3.2 HISTORY OF RIGHT TO INFORMATION:

Our constitution has provided fundamental right of expression and speech since its inception but has mentioned nothing regarding right to access the information for common people. It is silent on the ways and methods by which any common citizen of this country can ask and get the information which is vital for democratic and individual functioning and survival. In fact, during the emergency period (1975), first time we felt the need of such right when our fundamental rights were humiliated and suspended without appropriate reason. As far as global scene is concerned in Article 19 of Human Right Declarations of UNO, 1948 right to collect and distribute information without any obstacle or fear is mentioned prominently (Mishra, Raghavendra, 2005, pg. 4). "Article 372 of the Constitution allows pre independence laws to remain in force unless repealed or amended by Indian law makers...the Official Secrets Act, 1923, modelled on the 1911 Official Secret Act of England, is very restrictive of the use and dissemination of governmental information. It prohibits disclosure of information indiscriminately...Sections 123 and 124 of the Indian Evidence Act, 1872, Atomic Energy Act, 1962, The Commission of Inquiry Act, 1952, as amended in 1986, The Public Records Act, 1993 are some examples of laws breeding, protecting and promoting secrecy...".(http://www.scribd.com/doc/16098884/REINVENTING-DEMOCRACY-THROUGH-RIGHT-TO-INFORMATION). Due to all these existing Act and laws and absence of any direct Act for seeking information form government funding agencies people of India are facing many problem.

Government of Janata Party understood the need of RTI for the press and promised to bring the Act but that did not happen (Mishra, Raghavendra, 2005, pg. 4). It was United Front government of V.P. Singh who for the first time gave emphasis to the demand of Right To Information which was rising since independence and became very important after emergency of 1975. V.P. Singh’s government in the year 1990 first time discussed that right to information should be included in the constitutional framework. With the growing demand of an Act for right to information in 1993, a draft RTI law was proposed by the Consumer Education and Research Council, Ahmedabad (www.CERC.org). This is actually the first attempt to make a draft which is supposed to go to the government. In
1996, the Press Council of India headed by Justice P. B. Sawant presented a draft on right to information to the Government of India. The draft of Press council of India was later updated and renamed as the PCI-NIRD Freedom of Information Bill 1997. Unfortunately, none of the draft laws were seriously considered by the Government.

In a landmark case of State of Uttar Pradesh vrs Raj Narayan and Others, (1975) the Constitution bench of the Supreme Court pertinently observed, and Justice Mathew gave words “The people of the country have a right to know about every public Act, everything that is done in a country by their public functionaries”(Mishra, Raghavendra,2005,pg. 4). The demand of right to information in India is not unconstitutional, in relation to above mentioned verdict Supreme Court in at least two Constitution bench decisions mentioned that the citizens have right to get information about all aspects of government functioning,(1) Indira Gandhi's election case where the court had rejected the government's claim of privilege on the blue book containing security instructions for the Prime Minister (State of U.P. v Raj Narayan (1975) 4 SCC 428); (2) The judges appointment case (S.P. Gupta v Union of India (1981) Suppl SCC 87) where the court rejected the claim of privilege of the government on the correspondence between the Chief Justice of India and the Law Minister regarding the appointment of certain High Court judges. Therefore, in the light of verdicts of Supreme Court and their comment the demand of right to information had got fillip and such developments made it clear that public servant should not keep away information of government and governance out of reach of public.

MKSS continued its fight for RTI and spread their campaign at national level. NCPRT was constituted in 1996 in New Delhi to regulate and support the fight for RTI at grass roots and lobby for the Act in the gallery of parliament and government.

In 1999, then Union Minister Ram Jethmalani had passed an administrative order for his ministry that any citizen would be entitled to inspect and take photocopies of any file in his ministry. He ordered with the aim that the cabinet papers and top level decision making processes need not be kept secret. He had basically mentioned the reference of Supreme Court order over above mentioned cases and after that several other judgments of the Supreme Court where it has
upheld the Right to Information as the fundamental right, was recognized by the court including most recently the election reforms case where they directed the Election Commission to compel disclosure by candidates of information regarding any criminal backgrounds if there and also their assets and liabilities. Though the then Government of India had already committed itself to enacting a Right to Information legislation when Jethmalani passed his order, the Cabinet Secretary, on the instructions of the Prime Minister, restrained Jethmalani from giving effect to his order.

In 1997 efforts to legislate for right to information, at both the State and National level, got a limelight when a working group under the chairmanship of Mr. H D Shourie (The Shourie Committee) was set up by the Central Government and given the mandate to prepare draft legislation on freedom of information. The Shourie Committee's Report and draft law were published in 1997. Notably, the draft law was criticized for not adopting a high enough standard of disclosure.

Eventually, The Shourie Committee draft law passed through two successive governments, but was never introduced in Parliament this makes clear that the government is not willing to give the power to the citizen and making delay to the demand, Meanwhile, Shourie Committee draft points were added in the proposed Act of RTI bill 2000. Though the promising points of Shourie Committee were not added in the Bill but it was supported by Anna Hazare, Aruna Roy and other for broader public benefit.

The 2000 Bill was sent to the Parliamentary Standing Committee on Home Affairs, which consulted with civil society groups before submitting its Report in July 2001. The Committee recommended that the Government address the flaws in the draft Bill pointed out by civil society. Unfortunately, the Government did not implement that recommendation, to the detriment of the final content of the Bill. Finally in November 2002, when no legislation was forthcoming, many months after the report of the select committee had already come, the Supreme Court directed that if the legislation was not passed before the next date of hearing (in January 2003), the court would consider the matter on merits and pass orders. It was further directed that even if the legislation were passed, the court would examine whether the legislation was in conformity with the Right to Information as declared by the court.
"...At the time the Right to Information Act was passed, eight states and one union territory were entertaining their own laws regarding access to information, largely in response to pressure from local activists fighting against corruption. Acts were passed in Tamil Nadu (1997), Goa (1997), Rajasthan (2000), Karnataka (2000), Delhi (2001), Maharashtra (2002), Assam (2003), Madhya Pradesh (2003) and Jammu & Kashmir (2004)..."  (Annual Report 2007-08, CIC, pg. 2) Uttar Pradesh and Chattisgarh also adopted Codes of Practice and Executive Orders on Access to Information. With the passage of the national Act, the state laws are either lapsing or being specifically repealed. However, the Jammu and Kashmir Act is continued to operate in respect of state public authorities, because the Central Government cannot legislate for Jammu and Kashmir due to its special constitutional..."(Annual report 2005, CIC, pg. 2)

The national Freedom of Information Bill 2000 was introduced in Parliament in 2002. It was passed in December 2002 and received Presidential asset on January 2003, as the Freedom of Information Act 2002. Unfortunately, a date for the Bill coming into force was never notified, such that it never actually came into operation. UPA Government came into power in 2004. The national campaign for right to information received a major boost when the UPA Government's Common Minimum Program promised that: "The Right to Information Act will be made more progressive, participatory and meaningful". The National Advisory Council (NAC) was set up to oversee implementation of the Government's Common Minimum Program. Since its inception, the NAC has taken a close interest in RTI. At the very first meeting of the NAC on 17 July 2004, NAC members submitted a Statement from the National Campaign for the People's Right to Information to the NAC calling for action on RTI. To aid discussions, CHRI submitted an Analysis of the FOI Act and recommendations to the NAC and all Cabinet MPs prior to the first meeting. Before 2nd NAC meeting on 31 July 2004 the civil society had submitted a recommending amendment over FOI Act. The draft is named National campaign for the people's Right to information recommendation. Aruna Roy and Jean Dreze provided an Update on the discussions of the NAC at these first two Meetings. Along with that, public interest litigation (PIL) case being by NCPRI and Centre for Public Interest Litigation since 2002, tried to compel the Government to notify an effective FOI Act immediately. The case was heard by the Supreme Court on 20
July 2004. The Supreme Court's Order set a deadline of 15 September 2004 for the Central Government to advise when the Act will be notified and if not, when interim Administrative Guidelines would be issued. In the interim, on 12 August 2004, the Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions finally released Draft Rules under the Freedom of Information Act 2002. Meanwhile, at the NAC's third meeting on 14 August 2005, CHRI made a Submission regarding the draft NAC Recommendations, for consideration at the meeting. The NAC agreed on Final Recommendations regarding Amending the FOI Act 2002. The final version endorsed by the NAC was sent by its Chairperson, Mrs. Sonia Gandhi, to the Prime Minister's Office. A Government Press Release dated 18 September 2004 stated that: "The government will also introduce in the Winter Session of Parliament a bill to seek amendments to the Right to Information Act, based on suggestions put forth by the NAC."

The Right to Information Bill 2004 (RTI Bill, 2004) was tabled on 23 December during the winter session of the Lok Sabha. The RTI Bill 2004 was based largely on recommendations submitted to the Government by the NAC which were based on the NCPRI's draft Bill. NCPRI produced a comparative analysis of the RTI Bill 2004 against the FOI Act 2002 and NAC recommendations. The RTI Bill 2004 was referred by Parliament to the government Standing Committee for consideration. Along with them the people of civil society also participated in making decision over the Act and make good presentation before the Committee so that people will get a good and effective RTI Act.

On 10 May 2005, the RTI Amendment Bill 2005 with the recommendation of standing committee was tabled in the Lok Sabha. Under the growing demand the bill was approved by the Lok Sabha on 11 May and by the Rajya Sabha on 12 May 2005. On 15 June 2005, President APJ Abdul Kalam gave his agreement to Right to Information Act 2005. With presidential assent, the Central Government and State Governments according to the Act had to implement RTI Act and due to provision in the Act government(central and state) has appoint PIOs within 120 days of its implementation and stared providing information to the citizen. The Act formally came into force on 12 October 2005. With the enactment of this all the earlier Acts related to RTI in different states except J & K were canceled and RTI Act 2005 came into action.
After the RTI Act’s commenced into power the Acts supporting official secrecy became ineffective. With the enactment of RTI Act 2005 citizen of India got a new weapon to fight against evil of society; corruption and became more capable to make the system clean, transparent and participatory.

1.4 FREEDOM OF INFORMATION LEGISLATION IN OTHER COUNTRIES:

Freedom of information legislation is rule that guarantee access to data held by the state. They establish a "right-to-know" legal process by which requests may be made for government-held information, to be received freely or at minimal cost, barring standard exceptions. Also variously referred to as open records or (especially in the United States) sunshine laws, governments are also typically bound by a duty to publish and promote openness. In many countries there are constitutional guarantees for the right of access to information, but usually these are unused if specific support legislation does not exist. Over 85 countries around the world have implemented some form of such legislation.

“The world’s first freedom of information Act was The Riksdag’s(Swedish Parliament) Freedom of the Press Act of 1766. The Act required that official documents should upon request immediately by made available to any one making a request at no charge”(Smartt Ursula, 2006, pg. 75).

List of Freedom of Information Act worldwide:

1) Albania
In Albania, the constitution of 1998 guarantees the right of access to information.

2) Armenia
The Law on Freedom of Information was unanimously approved by the Parliament on 23 September 2003 and went into force in November 2003.

3) Australia
In Australia, the Freedom of Information Act 1982 was passed at the federal level in 1982.

4) Azerbaijan
In Azerbaijan, a Law on Access to Information was approved in 2005. It has gone into effect. Previously in 1998 there was accepted Law on Freedom of Information.
5) Bangladesh

6) Belgium
Article 32 of the Constitution was amended in 1993 to include a right of access to documents held by the government.

7) Belize
In Belize, the Freedom of Information Act was passed in 1998 was amended in.

8) Bosnia and Herzegovina
Bosnia and Herzegovina was the first country in the Balkan region to adopt the Freedom of Information FOIA - was adopted by the Parliament Assembly of Bosnia and Herzegovina on 17 November 2000.

9) Brazil
In Brazil, the Article 5, XXXIII, of the Constitution sets that "everyone shall have the right to receive information of his own interest or of public interest from public entities, which shall be given within the time prescribed by law".

10) Bulgaria
In Bulgaria, the Access to Public Information Act was passed in 2000, following a 1996 recommendation from the Constitutional Court to implement such a law.

11) Canada
In Canada, the Access to Information Act allows citizens to demand records from federal bodies. The act came into force in 1983.

12) Cayman
The Freedom of Information Law was passed in 2007 and was brought into force in January 2009.

13) Chile
In Chile, article 8 of the Constitution provides for the freedom of information. A law titled Law on Access to Public Information took effect on April 20, 2009.

14) People's Republic of China
In April 2007, the State Council of the People's Republic of China promulgated the "Regulations of the People's Republic of China on Open Government Information" which came into effect on May 1, 2008.
15) Colombia
The Colombian constitution grants the right of access to public information through Law 57 of 1985 which thereby mandates the publishing of acts and official documents.

16) Cook Islands
Access to official information is governed by the Official Information Act 2008.

17) Croatia
In Croatia, the Act on the Right of Access to Information of 2003 extends to all public authorities.

18) Czech Republic
In the Czech Republic, the Act No. 106/1999 Coll. on Free Access to Information covers the "state agencies, territorial self-administration authorities and public institutions managing public funds" as well as anybody authorised by the law to reach legal decisions relating to the public sector, to the extent of such authorisation.

19) Denmark
In Denmark, the Access to Public Administration Files Act of 1985 applies to most public agencies, and an unusual clause extends coverage to most private or public energy suppliers.

20) Dominican Republic
In Dominican Republic Law number 200-04 - Law on Access to Information is enacted on 28 July 2004.

21) Ecuador
In Ecuador, the Transparency and Access to Information Law of 2004 guaranteed the right of access to information by the state.

22) Estonia
In Estonia, the Public Information Act 2000 extends to all "holders of information".

23) Europe
In matters concerning the local, national and trans boundary environment, the Aarhus convention grants the public rights regarding access to information, public participation and access to justice in governmental decision-making processes. It focuses on interactions between the public and public authorities.

24) Finland
In Finland, Act on the Openness of Public Documents of 1951 established the openness of all records and documents in the possession of officials of the state,
municipalities, and registered religious communities.

25) France
In France, the accountability of public servants is a constitutional right, according to the Declaration of the Rights of Man and of the Citizen. Act No. 78-753 of 17 July 1978. On various measures for improved relations between the Civil Service and the public and on various arrangements of administrative, social and fiscal nature.

26) Georgia
In Georgia, the General Administrative Code contains a Law on Freedom of Information.

27) Germany
In Germany, the federal government passed a freedom of information law on September 5, 2005.

28) Greece
In Greece, article 16 (Right to Access Administrative Documents) of Law 1599/1986 (State-citizenry Relationship) introduced the right of all citizens to read most administrative documents.

29) Hong Kong
Since March 1995, the Government of Hong Kong has promulgated a "Code on Access to Information" to serve freedom of information purpose.

30) Hungary
In Hungary, the Act on the Protection of Personal Data and Public Access to Data of Public Interest extends a right of access to all data of public interest, defined as any information processed by a body performing a governmental function. Complaints and contested applications may be appealed to the Data Protection Commissioner or to the court. In 2005 the Parliament adopted the Act on the Freedom of Information by Electronic Means (Act XC of 2005). The Act has three basic parts: 1) electronic disclosure of certain data by public sector bodies, 2) publicity of legislation and 3) openness of Court decisions.

31) Iceland
In Iceland the Information Act no. 50/1996 gives access to public information.

32) Republic of Ireland
In the Republic of Ireland the Freedom of Information Act 1997 came into effect in April, 1998.
33) Israel

34) Italy
Chapter V of Law No. 241 of 7 August 1990 provides for access to administrative documents. However, the right to access is limited. The law states that those requesting information must have a legal interest. It was amended in 2005. The revision appears to adopt the court rulings and relax the interest somewhat to allow access when an individual can show they represent a more general public interest.

35) Jamaica
In Jamaica, the relevant legislation is the Access to Information Act, 2002.

36) Japan
In Japan, the "Law Concerning Access to Information Held by Administrative Organs" was promulgated in 1999. The law was enforced in 2001.

37) Latvia
The Law on Freedom of Information was signed into law by the State President in November 1998 and has been amended a number of times recently.

38) Liberia
President of Liberia signed the Freedom of Information Act of 2010.

39) Macedonia
The Law on Free Access to Information of Public Character was adopted on 25 January 2006. The requests can be oral, written or electronic.

40) Malaysia
The state of Selangor passed the Freedom of Information Enactment (Selangor) 2010 on 1 April 2011.

41) Mexico
The Constitution was amended in 1977 to include a right of freedom of information.

42) Montenegro
A freedom of information law was passed in Montenegro in 2005.

43) Netherlands

44) New Zealand
In New Zealand, the relevant legislation is the Official Information Act 1982.
45) Nigeria
The House of Representatives passed Freedom of Information (FoI) Bill on February 24, 2011 and the Senate dialled up integrity on March 16 as it delivered on promise to pass it.

46) Norway
The current freedom of information legislation was enacted May 19, 2006 and superseded the previous law of 1970 by January 1, 2009. Article 100 of the Constitution gives access to public documents. The basic principle of the law is everyone has the right to access to State and municipal documents and to be present at sittings of courts and elected assemblies.

47) Pakistan

48) Paraguay
In Paraguay, a law protects *habeas data*, meaning that any citizen can request a copy of publicly or privately held information relating to him, and request that any inaccurate data found be destroyed. This has been primarily used by former dissidents after the fall of the lengthy dictatorship (1954-1989) of Alfredo Stroessner. In 2005, efforts have been made to add transparency to purchases made by the Government, with a system that publishes bids on the Web, as well as the resulting purchases.

49) Poland
The Law on Access to Public Information was approved in September 2001 and went into effect in January 2002.

50) Republic of Moldova
The Law of the Republic of Moldova on Access to Information was approved by Parliament in May 2000 and went into force in August 2000.

51) Romania
Since 2001 there are one law on Freedom of Information and one on transparent decision making processes in public administration.

52) Serbia
In Serbia, the Access to Public Information Act gives access to documents of public authorities.

53) Slovakia

54) Slovenia
Slovenia passed the Access to Public Information Act in March 2003.

55) South Africa
South Africa passed the Promotion of Access to Information Act on 2 February 2000.

56) South Korea
The Constitutional Court ruled in 1989 that there is a constitutional right to information. The Act on Disclosure of Information by Public Agencies was enacted in 1996 and went into effect in January 1998. It allows citizens to demand information held by public agencies.

57) Sweden
In Sweden, the Freedom of the Press Act of 1766 granted public access to government documents.

58) Thailand
In Thailand, the relevant legislation is the Official Information Act of 1997.

59) Trinidad and Tobago
In Trinidad and Tobago, the relevant legislation is the Freedom of Information Act, 1999.

60) Turkey
In Turkey, the Turkish Law on the Right to Information was signed on October 24, 2003 and it came into effect 6 months later on April 24, 2004.

61) Uganda
In Uganda, the Access to Information Act was approved in 2005 and went into effect in 2006.

62) Ukraine
The 1992 Law on Information is a general information policy framework law that includes a citizen's a right to access information. The law allows citizens and legal entities to request access to official documents.

63) United Kingdom
The Freedom of Information Act 2000 (2000 c. 36) is the implementation of freedom of information legislation in the United Kingdom on a national level.

64) United States
In the United States the Freedom of Information Act was came in to force on July 4, 1966.

65) Uruguay

The Act was enacted in 2008 under President Vazquez's Administration and is mainly implemented by the Judiciary.

66) Zimbabwe

In Zimbabwe, the Access to Information and Privacy Act (AIPPA) was signed by their President Robert Mugabe in February 2002.

These are a few countries who have declared Act related to freedom of information. Like them there are many other country who have declared the Act or in process to declare it according to their constitution.

1.5 IMPORTANCE OF RTI IN A DEMOCRATIC SET UP

The Right to information is required to end the culture of secrecy and to institutionalize the culture of openness and increase transparency and accountability. As the leader of Mazdoor Kisan Shakti Sangathan Ms Aruna Roy said “the Right to Information is a right that enables all rights – economic, social, political, and human rights. It is a simple tool that enables citizens to access information, and places it in the public domain, for scrutiny and informed action. The entitlement will have to be used extensively, and every instance of its use will sharpen the implementation of the law. It is an invaluable tool for a vibrant and genuine democracy and which every common citizen can use for ensuring social justice.” The expected and gained out come from this right are:-

- Informed citizenry.
- Greater transparency and increased accountability.
- Better public understanding of government decision making.
- More effective public participation in the political process.
- Increased public trust and confidence in government.
- More through, balanced and impartial advice to ministers.
- Better quality of government decision making.
- Improved government efficiency and service delivery.
• Better record keeping and records management.
• Increased efficiency through exposing waste, incompetence or corruption and thereby enabling the expeditious improvement in quality of life, specially of the poor, thus the RTI is linked to life. Increased use of public sector information for private or wider public interest.

UNDP Resident Representative & UN Resident Coordinator Maxine Olson on her message to “Hand Book on Right to Information” published by Assam Administrative Staff College said “Access to information has been recognized as a key development strategy with its potential to empower citizens in relation to the state and make administration more transparent, accountable and participatory. It holds the key to citizens’ awareness of and ability to access their other rights and equips them to participate meaningfully in the development process…”

1.6 IMPORTANCE OF PIO’S IN RTI ACT: Public Information Officers are very important function of the right to information act. In the description of the act, published in the Gazette of India, in part two it is mentioned that every public authority shall designate public information officer and he will be responsible to collect information, display them for public through best suitable means of communication and will be responsible to arrange and reply quarries come under this act. Role of PIO is very important. He is the responsible authority to apply this act properly and he is the person designated to deal RTI issues. Therefore his perception as well as knowledge of the act is vital to achieve the objectives of the provisions.

1.7 REVIEW OF THE LITERATURE

Right to information is comparatively new area of academic concern in the field of mass communication research. This act, just passed in 2005, is a new to be chosen as a subject of research. But as it is very important and vital for our democracy, it has started attracting scholars to analyze the act and its perception as well as its prospects. Though in little number but some good works are being done and some are in the progress in various institutions, on personal level, on by government and by NGOs and activists.

S. C. Agrawal (2010) has described the difficulties a person can face while seeking information from the judiciary of the India. He has mentioned his own
experiences as an RTI activist in the process of seeking information from the Supreme Court of India. It is a good description based on a person's own experience.

**N. Bhaskar Rao (2010)** firmly mentioned the need of proper research and analysis in RTI implementation, awareness of people and training of public information officers. He has described the problems, hurdles and other consequences faced by the information seekers and information providers both.

**Richard A. Chapman, Michael Hunt (2010)** have explored the workings of the Freedom of Information Act, its successes and failures, and its impact upon the way in which members of the public relate to government. This book considers the validity of heat claim by focusing on the experience of implementing the Freedom of Information Act 2000 at el firer of elected government in England and wales which, though the provision of a variety of social services such as education and housing has the most immediate impact upon the majority of citizens. Comparisons are also drawn with the Scottish and Irish experience. The book also examines the impact of Freedom of Information of local government in Ireland. It begins by describing the Irish local government context and proceeds by outlining the relevant legislative provisions concerning access to local government information. The book gives the importance of an open government and why the government should disclose the decision to the people. The book provides an analytical study over the morality of an open government. The book provides a healthy and balance comment over some of the major objects of democracy like accountability of government, morality of government, and functioning of government and right of citizen under Freedom of Information.

**Patrick Birkinshaw (2010)** explained about the Freedom of Information (FOI) Act which is enacted in 2000 and in operation in the UK since 2005, the FOI Act has revealed information which has given voice for constitutional reform. A massive 'information jurisprudence' has developed through the decisions of the Information Commissioner, the Information Tribunal and the courts. The book also talks of the basic requisite of democracy that is openness and transparency in government functioning.
RTI Assessment and Analysis Group (RAAG) and National Campaign for People's Right to Information (NCPRI), (2009) in its assessment research report mentioned the importance of the act in strengthening democracy. The report is based on interviews conducted with thousands of information seekers, information providers and the general public. It is important document exposing perceptions, feelings, and expectations of the people from the act.

K. M. Shrivastava (2009) tried to show the global view of right to know or information. He provides a good comprehensive book which talks over RTI in India and some develop country like USA and UK. The author shows an over view on the concept of RTI and Freedom of information. As right to information in now a common concept in a democratic country, present book take an outlook of RTI at global level.

**Compliance with the RTI Act: A Survey, CHRI, (2009)** The study was designed to assess the compliance of public authorities with provisions of the RTI Act in select districts of Gujarat. Official record management, proactive disclosure, processes set up to deal with information requests are some of the issues which were taken up in this study which surveyed 95 offices at various district and lower level offices of the selected districts.

**Prakash kumar and KB Rai (2008)** explained the importance of right to information in a democratic setup like India. Their work has successfully described the various technicalities as well as considerations of the act. They have also predicted on the future prospects of the right to know in India. This work is able to give basic information as well as historical aspect of the law.

**Shannon E. Martin (2008)** details the history that led to the law's enactment and the resulting discoveries in government repositories over the past five decade in USA. In light of the on-going national security war on terror, this is a timely and historical overview of the accessibility of government-held information. The book focuses on how information can make the government of a country more accountable.

A report published in *the times of India* (28 Sept. 2008, Bangluru) explored that public information officers of the area have average or below the average knowledge of the RTI act. It is a good eye opener and emphasize on the
need of orientation and training of the officials who are holding the functional responsibility of the act.

**Arjun Sengupta, Archana Negi, Mousami Basu (2007)** established the importance of right to know in developmental process. It is right to information that can bring optimum transparency and set a kind of accountability in public system that can function properly for public welfare. They have described and co-related the development with being informed citizens.

**Shekhar Singh (2007)** Colombia University, analyze the evolution of freedom of information regimes in India, China, Eastern Europe and Nigeria, Provides a nuanced understanding of the political and social processes which led the enactment of the RTI act in India. It gives detailed history of the environmental movement in India which played an extra ordinary role in the same. The study also documents the institutional support mechanism as well as the hurdles which impacted the process deeply, as well as identifies the challenges that lie ahead for the establishment of an effective transparency regime in the country.

**N.K. Jain (2007)** explains that since independence, various programmes and schemes have been launched for the development of country and for this massive amounts is spend for rural and urban area of India to uplift life standard of people of India. However, the overall development at the grass root level is continues to be unsatisfactory. Right to Information is very useful and significance at a time when media have become powerful instrument in disseminating information to the people. This book consists of general history of movement for RTI Act and with the positive outcome of those movements like jansunvai. This book talks about the necessary of RTI Act in India and also the positive impact at other country who had adopted it earlier. Author provides information on RTI Act of various state who have adapted this right before the central Right to Information Act is launched; like Assam RTI 2001, The Goa Right to Information Act, 1997, The Gujarat Right to Information Rules 2005, The Haryana Right to Information Rules 2005, Himachal Pradesh Right to Information Rules 2006, The Jammu and Kashmir Right to Information Act 2004 and other.

**Jaytilak Guha Roy (2006)** gave historical background of RTI Act 2005, government role and its impact over the present scenario of country. He discusses
the importance of various movements at the time of framing RTI Act in India like movement of MKSS and other. Author also discusses the role of government in framing, and implementation of a new law with a new concept; book also provides information over the importance of RTI in a democratic country and how it helps in transparency in government work. There is relation between human right and right to information but the common people do not able to understand it. With the help of this book author has also discussed.

N Mathur (2006) provided full and exhaustive commentary with a legal point of view in the work. He has described general objectives and principles of the act as well as mentioned decisions of the Supreme Court of India and various High Courts on the need of information access to the common public.

YASHADA, Right to Information Cell (2006) work contain answer of many general but very critical and important information which a common person must know. Book has presented its concept in a very impressive way as it provides information in graphical look which make things easy to remember.

Ambrish Saxena (2004) Has mentioned post globalization circumstances of information and its power. UNDP says that democracy is one of the preconditions for development and the success of a democracy lies in the transparency of government. In almost all the democracies the core issue is the accessibility of information to common citizens and State's earnest provides the same through constitutional and legislative measure. There are many countries in world they are having provision of providing information to their citizen and after a long wait, Indian can taste the freedom of information Act on 2005. Freedom of press is equally important as with different media only people are getting information and then they analyses it. The book analysed the relation between Right to Information and freedom of information. The book provides historical background over the enactment of Right to Information in India.

N. Vittal(2003) In his work author has discussed various forms of corruption in India in different sectors like economic, education, judiciary. Author tries to elucidate the rule of corruption in underdevelopment of India.

Christopher L. Henry (2003) explained the Freedom of Information Act (FOIA), which can be found in Title 5 of the United States Code, section 552, was
enacted in 1966 and provides that any person has the right to request access to federal agency records or information. All agencies of the United States government are required to disclose records upon receiving a written request for them, except for those records that are protected from disclosure by nine exemptions and three exclusions of the FOIA. This right of access is enforceable in court. The federal FOIA does not, however, provide access to records held by state and local government agencies, or by private businesses or individuals. All states have their own statutes governing public access to state and local records. This book serves as a reference guide to familiarize the reader with the specific procedures for making a FOIA request to the Department of Justice.

J. Beatson, Yvonne Cripps, David Glyndwr Tudor Williams (2000) focuses on the basic fundamental right of a citizen and examine two freedoms that play a key role in modern democracy: the free exchange and dissemination of one’s idea to masses though various media along coupled with the principle of openness and accountability of government towards the people who are called ruler in modern democracy. As secrecy brings the evil thought in the people who are in power and when they find they are not accountable to country they start thinking for themselves not for the nation.

Aruna Roy (1999) has described the struggle and fighting taken place in the way to achieve this right. In her mentioning she has focused on the grassroots efforts for right to know. Her work is an authentic account of the struggle, movement and prospects of RTI in our country.

Mander, Harsh and Abha Joshi (1999) in there paper provides a rich and detailed historical perspective on the grassroots movement led by MKSS in Rajasthan demanding a right for ordinary people to access public information. Written many years before the enactment of the RTI Act in 2005, the paper discusses the importance of such an access to improved transparency in government functioning, including government efforts in this direction, and its implications on the lives of ordinary people, as well provides a rationale for the development of a legal framework towards the evolution of an effective FOI regime.
1.8 STATEMENT OF THE PROBLEM - The formal title of the present study is 'ANALYSIS OF AWARENESS OF RTI AMONG PIO AND INFORMATION SEEKERS IN CACHAR'.

1.9 SIGNIFICANCE OF THE STUDY - In any democratic society people must have the reach to all the information regarding utilization of public funds, government functioning and decision making process. Transparent, corruption free and accountable governance could only be achieve through this right. The present study in its framework is an effort to analyze the effectiveness of this legal right to information at implementation level. As this act is recognized as the shifting of power to the common people so we can know that how this power is exercised and what are the obstacles people facing in this way. This study also focuses on perception of this act in various sections of society as well as in administrative section or in officials. This study is also very significant in evaluating patterns of uses and reactions from the authorities to this exercise. The most valuable significance of study is to analyze the perception, level of awareness and psychology of the public information officers who are at the helm of affairs.

The study also has tried to find the awareness of the PIO and people as applicant over the RTI act which is a weapon against corruption in government. It provide a reference for the academicians, scholars, students who want to do research in this field. The present study is attempt to provide a comprehensive understanding of the difficulties being faced by the seekers in getting information they seek and the problems of PIOs related to proper implementation of the act.

1.10 RATIONALE OF THE STUDY: The rationale of the study is to find the awareness of the public information officers for the RTI act. As the normal use of RTI stands against the system it is very important to know the psychology of the concerned officials. As well as appointment of the PIOs are very casual in organizations and no formal training or orientation take place for them therefore perception analysis of the public information is essential.

1.11 AIM AND OBJECTIVES

1.11.1 AIM: The present study is aimed to analyse the perception and approach of PIO's regarding mechanism and implementation of the Act. It is also aimed to find out issues of the Information seekers in the same.
1.11.2 OBJECTIVES

i) To analyze awareness and its variation of RTI Act among concerned officials.

ii) To analyze the behavioral patterns of PIOs regarding RTI applications

iii) Nature of RTI cases and its impact on response.

iv) Satisfaction pattern of information seekers from the concerned RTI mechanism.

1.12 THE LOCALE OF THE STUDY

The study area is located in the North-East region of India with its distinct demographic characteristics and unique cultural and physical diversity.

1.12.1 NORTH-EAST INDIA

The North-East of India share’s it border internationally with four neighbouring countries Bhutan, China, Myanmar and Bangladesh with a length of over 2000 km. This is one of the most ethically and a linguistically diverse region in Asia. North-eastern region of India comprises seven sister states namely, Assam, Meghalaya, Arunachal Pradesh, Nagaland, Manipur, Mizoram and Tripura situated at the north-eastern boundary of the Indian dominion. Sikkim is a new entry in the world of seven sisters. Each state has its distinct cultures and traditions. It is linked to the rest of India by a narrow 20 km wide corridor of land known as ‘chicken neck’.

A meeting point of many communities, faiths and cultures and a place renowned for its magical beauty and bewildering diversity, the region has been the home to more than 166 separate tribes speaking a wide range of languages. Their rich cultures add colours to the uniqueness to the place. Some groups who have migrated over the centuries from places as far as South- East Asia, though retain their cultural traditions and values, had adapted to contemporary lifestyles. In this region different communities celebrate festivals throughout the year with lot of fanfare in different ways, most of them centring on their modes of living and livelihood.

Being a hot spot for biodiversity each state with thousands of species of flora and fauna, has a number of wild life sanctuaries and national parks with rare
animals, birds and plants. The torrential Brahmaputra deposits its rich alluvial silt along the banks of the plains of Assam. Tropical rain forest, rich in flora and fauna, spread their arms across Arunachal Pradesh into Assam. It is a land where tea is an industry, handicrafts a major occupation and martial arts a favoured sport. Language diversity and biodiversity are extremely done in northeast India.

In other words we can say that the northeast region of India covers an area of 2.62 lakh sq. km. It accounts for 7.9% of total geographical area of the country. With a total population of 42 million (2011), it accounts for 3.4% of total population of India. The North East is one of the most biodiversity regions in the world. The forest cover varies but average 65 per cent is government owned. Village communities, individuals and chiefs own the rest. Forests are very important and integrated with the socio-cultural life of the north-east people. But there is a growing concern in the North Eastern region about the increased degradation of the environment. The area can be divided into three geographical divisions- the Shillong Plateau, the North Eastern hill Basin and the Brahmaputra Valley.

Mineral and oil resources are available In Northeast India in sufficient amount. This region is very rich in energy resources such as coal, petroleum, hydropower has great potential. Besides, there is a good amount of uranium in Meghalaya. But the economy of the North Eastern region is dominated by tea, oil and timber. Apart from modern developmental efforts and westernised influence on various parts of urban north-east such as Meghalaya, Mizoram, Nagaland and Arunachal Pradesh traditional economic practices are still very much effective in entire north-east. Shifting cultivation, which originated during the Neolithic period, is still practiced in the tribal dominated areas of the north-eastern region.

1.12.2 ASSAM

Assam lies between 24.48° and 27.9° north latitudes and 89.42° and 96.10° East longitudes. With an area of 78,438 sq km it is close to India's international borders with Bangladesh and Bhutan. It is surrounded by Bhutan and Arunachal Pradesh on the north, Manipur, Nagaland and Arunachal Pradesh on the east and Meghalaya, Tripura and Mizoram on the south. The physical features of Assam dividing the hills and the plains into component parts drawn by nature herself, have
greatly contributed to the growth of heterogeneous culture. The capital, formerly Shillong (now the capital of Meghalaya), was shifted to Dispur, a suburb of Guwahati, in 1972.

The name Assam comes from the original name of the Ahoms, who ruled the land for about six hundred years prior to its annexation by the British. Assam has a rich legacy of culture and civilization. It was known as Pragjyotisha or the place of eastern astronomy during the epic period and later named as Kamrupa. The earliest name of the Assam was Prajyotishpur. The earliest epigraphic reference to the kingdom of Kamrupa is found in the Allahabad pillar inscription of king Samudragupta. Kamrupa also figured in the writings of the Arabian historian Al Beruni in the eleventh century. Thus, from the epic period down to the twelfth century A.D., the eastern frontier kingdom was known as Pragjyotisha and Kamrupa and kings called themselves Lords of Pragjyotisha.

The turning point in Assam history was the advent of the Ahoms across the eastern hills in 1228 A.D. They ruled Assam nearly for six centuries. Ruled by various dynasties - the Palas, Koches, Kacharis, and Chutiyas, Assam was in constant warfare among these princes until the coming of the Ahoms in the thirteenth century. They were later overthrown by the Burmese warriors who in turn were driven out by the British and Assam a part of British India after the Treaty of Yandabo in 1826. The area was incorporated into British-administered Bengal in 1838 and by 1842 the whole of the Assam valley had come under British rule.

In 1905, Bengal was partitioned and Assam was amalgamated with eastern Bengal. But with independence of India in 1947, Assam became a constituent state of the Indian Union in 1950. In 1961 and 1962, Chinese armed forces, disputing the McMahon Line as the boundary between India and Tibet, occupied part of the North East Frontier Agency (present Arunachal Pradesh).

Assam has lost much territory to New states began emerging from within the borders of Assam since the early 1960s. The Naga Hills district became the sixteenth state of the Indian Union as Nagaland in 1963. Meghalaya became a separate state in 1972 while Arunachal Pradesh (the North East Frontier Agency) and Mizoram were carved out from Assam as Union Territories and later both became states in 1986.
In the early 1980s, resentment against immigrants from Bangladesh, led to widespread violence and considerable loss of life. Bodo tribesmen demanded an autonomous state. The United Liberation Front of Assam waged a guerrilla campaign for the outright secession of Assam from India.

With average temperatures between 35° and 38°C and 6° and 8°C, fogs and brief showers mark the cool season. Assam escapes the normal Indian hot, dry season. Some rain occurs from March onward, but the real force of the monsoon is felt between June and September, when widespread and destructive flooding often occurs. Rainfall in Assam is the highest in the country and its annual average varies from 1,778 mm in the west to more than 3,048 mm in the east.

On the eve of the coming of Ahoms in the 13th century, the Kacharis and Chutias were ruling over a large part of eastern Assam. Next came the Aryans who settled in the Brahmaputra valley at an early time. Of course, among different races, the Aryans could establish their cultural supremacy over this country.

Assam has three principal geographical regions: the Brahmaputra river valley in the north, the Barak river valley in the south, and the hilly region within the districts of Karbi Anglong and North Cachar hills, lying between these two valleys. Numerous streams and rivulets flowing from the neighboring hills empty into the Brahmaputra river. The Barak river valley is important for agriculture as it lies on alluvial sediments with hard sandstone, soft and loose sand, conglomerates, coal seams, shales, sandy clays, and limestone. The Karbi Anglong and the North Cachar hills form part of the Meghalaya plateau. It has a northerly slope with average elevations ranging from about 457 m in the Mikir hills to about 1,006 m in the central portion of the Karbi Anglong district.

Earthquakes are common in Assam. The most severe ones in modern times occurred in 1897, with the Shillong plateau as the epicenter; in 1930, with Dhubri as the epicenter; and in 1950, with Zhihou (Rima) in Tibet at the Arunachal Pradesh border as the epicenter. The 1950 earthquake is considered to have been one of the most disastrous in history. It created heavy landslides that blocked the courses of many hill streams. The floods that followed the bursting of these artificial dams caused more loss of life and property than the earthquake itself.
1.12.2.1 SOCIAL AND CULTURAL LIFE:

The original inhabitants of Assam were known as the Kiratas of divergent tribal groups as mentioned in the Mahabharata. The fusion of divergent cultures of the Aryan, the Dravidians, the Austrians and the Mongoloid races take shape into composite culture. In the present day Assam the inhabitants of Assam can be divided into three categories, namely the tribal population, the non-tribal population and the scheduled castes. The Tribal’s consist of the Kacharis (Bodos), the Miris, the Deoris, the Rabhas, the Nagas, the Garos, the Khasis, etc. The non-tribal groups include Ahoms, the Kayasthas, the Kalitas, the Morans, the Muttaks, the Chutias, etc. The scheduled castes includes the Basfors, Baniyas, the Dhobis, the Hiras, the Kaibartas and the Namasudras, etc. Another group was known as “Baganias” who were brought from Bengal, Bihar, Orissa, and Madhya Pradesh by the British tea planters during the British period.

In Assam, the indigenous groups are Animism, Tantricism, Brahminism and Vaishnavism. The new Vaishnavite religion was formed by Shrimanta Sankardeva (1449-1568). The pristine form of Hinduism began only when the Aryans arrived in Assam. The present Hindu caste system had emerged with the immigration of outsiders. Neo-Vaishnavism entered the land in the 15th century and is the dominant faith if the Assamese people at present. The Assamese society allows the idol worshippers of Durga, Kali, Saraswati, and others to follow the Vaishnava faith. Caste system has never taken firm roots in the Assamese social stratification. The Muslims came in the 13th century and established mosques in Assam. Christianity began to grow in the state from the time of the British rule.

Assam has a population of 3,11,69,272 including 1,59,54,927 males and 1,52,14,345 females (Census of India 2011). Of which 12.4 per cent are Scheduled Tribes and 6.9 per cent Scheduled Castes. The density is 340 persons per sq km. About 87 per cent of the population is rural. Recent increases in the urban population reflect the growth of industries, increased commercial activity, and the desire of the Bangladeshi refugees to live near towns. The annual growth rate is 1.63 per cent. Only Guwahati has a fairly large urban population. The sex ratio is 953 females per 1,000 males. The decadal growth rate of population of the state was 16.92%. The uneven distribution of population reflects the hilly terrain, the number of rivers, the forests,
the small amount of cultivable land, and the lack of industrialization. Owing mostly to
the immigration into Assam of tea-garden laborers, herders from Nepal, Muslims from
West Bengal, and refugees from what is now Bangladesh, population growth has been
unusually rapid.

Table 1.2: Population of India on Census

<table>
<thead>
<tr>
<th>Population of India</th>
<th>Census</th>
<th>Pop.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1951</td>
<td>80,29,000</td>
</tr>
<tr>
<td></td>
<td>1961</td>
<td>1,08,37,000</td>
</tr>
<tr>
<td></td>
<td>1971</td>
<td>1,46,25,000</td>
</tr>
<tr>
<td></td>
<td>1981</td>
<td>1,80,41,000</td>
</tr>
<tr>
<td></td>
<td>1991</td>
<td>2,24,14,000</td>
</tr>
<tr>
<td></td>
<td>2001</td>
<td>2,66,55,528</td>
</tr>
<tr>
<td></td>
<td>2011</td>
<td>3,11,69,272</td>
</tr>
</tbody>
</table>

The Ahoms are considered to be a Thai-Buddhist tribe who arrived in this area
during the thirteenth century and established their capital in Sibsagar. Later they
adopted Hinduism. The people of the plains of the Brahmaputra and Barak valleys are
mainly Indo-Iranian. By the time of their arrival in the Brahmaputra valley, it would
appear that the original Aryan people of Assam had become intermixed with Asiatic
peoples. Assamese is the official and principal language of the state. An unbroken
record of Assamese literary history is traceable from the fourteenth century. The
people of the Cachar district in the Barak valley mostly speak Bengali.

About two-thirds of the Assamese are Hindus, and about a quarter are
Muslims. The Muslims are mostly recent settlers from Bangladesh or converts
belonging to the lower strata of Hindu society. The percentage of Hindus varies from
29 per cent in Dhubri district to 94 per cent in Dhemaji district. Over 50 per cent of
the Muslim population in the state is in Dhubri, Goalpara, Barpeta, and Hailakandi.
There is a considerable concentration of Christian population in Kokrajhar, Goalpara,
Karbianglong, and the North Cachar hills. A majority of the Hindus follow
Vaishnavism, which venerates the deity Vishnu.

Assamese tribes are classified among the Asiatic peoples, and speak dialects of
Tibeto-Burman origin, with the exception of the Khasis, who speak an Austro-Asiatic
tongue. Missionaries have converted many of the hill tribes to Christianity, but the
majority still observe the customs and festivals of their traditional religion, which is based on animism. The Mikirs and Kacharis of the Karbi Anglong and North Cachar hills are mostly Hindus; although they speak dialects of Tibeto-Burman origin, they have adopted Assamese as their first language.

1.12.3 BARAK VALLEY

The southeast part of Assam forms an extensive lowland area, the Barak river valley. Though only a small portion of Barak valley is within the state's borders, being fertile and suitable for agriculture, the valley supports a relatively dense population. Geologically, the Brahmaputra and Barak valleys lie on alluvial sediments up to 1.6 million years old, which themselves cover a variety of tertiary deposits from 1.6 to 66.4 million years old. These deposits include hard sandstone, soft and loose sand, conglomerates, coal seams, shales, sandy clays, and limestone.

The valley is an extension of the Bengal plains, and its physical features have slow and gradual changes as one proceeds from here to anywhere in Bengal or vice versa. Naturally Indo-Aryan settlement extended into the valley from Bengal in early time in its spontaneous eastward march to farthest limits of the ploughable areas, while the flood prone plain regions remained uninviting to Jhoom cultivators of the neighbouring hills.

With 900 km in length, the Barak river flows through north eastern India and eastern Bangladesh. Rising from the Manipur Hills in northern Manipur, the Barak flows westward and then southwest into Mizoram. From there it veers north into Assam and flows west past the town of Silchar thereby forming the Barak valley. Barak is bifurcated at Karimganj into two tributaries- Surma and Kushiara which flowing through Sylhet confluence and fall into the Brahmaputra in Bangladesh. The Surma flows past Sylhet in a rich tea-growing valley, while the Kushiara subdivides into two more branches that again rejoin the Surma. The river becomes the Meghna river after it enters an old channel of the Brahmaputra at Bhairab Bazar in east-central Bangladesh. It flows south past Dhaka and merges with the Ganga. During rainy season steamers can navigate the river upstream up to Silchar.

While being significantly different from the rest, all parts of Barak valley have uniformity in landscapes, natural resources, climate and vegetation. Though the
Khasi-Jayantiya hills, the North cachar hills and the Mizo hills stand a sudden barrier on three sides, towards Bengal the gradual change disturbed the valley formation at no stage by the Varmans of Kamrupa in the 6th and 7th century A.D. This assertion is being supported by the finding that Maharaja Bhaskar Verman, who ruled the valley is found in six copper plates recovered from Nidhanpur village in Panchkhanda Pargana of Silhet district of undivided Surma valley. After the Vermana empire fell in the seventh century A.D. the Harikela state emerged. The fall of Harikela led to the formation of Tripura state covering Cachar, Sylhet and Tripura plains. In the 14th century A.D. Muslim rulers of the Bengal occupied Sylhet and Karimganj while Cachar was still ruled by the Tripuris.

The Dimase rulers of Maibong had started expeditions to expand their territory towards the Cachar plains in 16th century. Dimasha Raja Jasnarayany annexed a portion of Cachar valley. Claiming himself as the conqueror of Sylhet he pushed the boundary into the Moughal district of Silhet.

The state building process which started in Mailbong with Nirbaynarayana reached its climax during the reign of Kirtichandranarayana (1735-45). And by the time his son Gopichandranarayana become the Raja the state was fairly large and prosperous. Gopichandra was succeeded by his son Harishchandra who became a Sanyasi and his cousin Lakshmichandra Narayana became the ruler. After Lakshmichandra’s death, his son Krishnachandra became the ruler but could not run the empire and Dimasa rule in Cachar came to an end. Meanwhile the British annexed the south Cachar in 1832. Cachar was placed under a superintendent and eventually made a district in Bengal. In 1874 when the chief commissionership of the Assam was constituted, consisting of the Assam valley and the hill, the Surma valley district of the Sylhet and Cachar were transferred to the new province (Bhattachrjee 1986).

After India got independence in 1947, Cachar district comprised subdivisions of Silchar, Hailakandi, Karimganj and Halflong. However, Halflong subdivision was separated from Cachar in 1953. Two districts Karimganj and Hailakandi were carved out of Cachar district in 1984 and in 1989 respectively.

1.12.4 CACHAR DISTRICT
With a total area of 3786 sq. Km. Cachar district is an old district of Assam. It has two sub-divisions - Silchar and Lakhipur. With 1050 villages, the district has 15 blocks, 5 revenue circles and 163 Gram Pachayats. The district populated by about 20 lakhs has a population density of 355 persons per sq. km. and literacy rate of more than 65%.

The name Cachar is denotes near mountains or water in Sanskrit which is evidenced by the topographical features of the area. Another theory is that when the Kacharies came to settle in the area it came to be known as Cachar.

Cachar district shares its border with the North Cachar Hills on the north, Manipur on the east, Mizoram on the south, and Karimganj and Hailakandi districts on the west. Silchar city, a district of the Cachar, was made the headquarters of Cachar in 1832 during the British rule. In the second half of the nineteenth century, a missionary school and polo ground were established. Many akharas or shrines were also constructed during the British period.

A trade and processing centre for tea, rice, and other agricultural products, Silchar has small industries including papermaking and tea-box manufacturing. With an airport, rail line and roads Silchar is connected to other parts of the country. A highway runs through it connecting Aizawl, the capital town of Mizoram with Shillong, the capital of Meghalaya. Silchar has a central university with affiliated medical, engineering, law, and degree colleges.

Silchar is catering to various important services to nearby population of the Manipur, Mizoram and Tripura who visit the city for medical, transportation and commercial needs. And, with a mixed population of various communities living peacefully, the city is developing fast as a cosmopolitan hub.

1.12.4.1 MEDIA SCENE OF THE CACHAR

Cachar has a diversified media use and availability pattern. Various kind of modern mass media and traditional media practices are part of cultural life of the district. The district has a terrestrial television transmitter established in Silchar city. An All India Radio station is also involved in transmission of various national as well
as local programmes for the surrounding people. Various local and regional and national daily news papers are also available across the district.

Apart from, various traditional forms are also serving the purpose of the people of the area. Folk dances of old Sylhet are still in practice as Charak dance, Rakhaler dance, boat dance, dharmiya etc. Folk lore's like ojhar gan, bhatiyali gan, tinather gan, laukik/alaukik sangeet etc are also very popular among the population of the region.

1.13 DEFINITION OF THE TECHNICAL TERMS-

1) Information- "Information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force;

2) RTI Act- RTI Act means Right to Information act, 2005 of the Government of India. Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority

3) Information Seeker- In the study information seeker means a citizen of India exercising or exercised his or her right to information under the provisions of the government of India RTI act 2005.

4) Awareness- Awareness means having knowledge of something. In this study awareness includes level of knowledge of right to information act, 2005.

5) PIO- public information officer (PIO) is a person of any public office who is generally the next to the head of that office, but at time the head of the office may work as PIO.

6) APIO: Many offices also appoint an Assistant Public Information Officers (APIOs) to collect the RTI application form information seekers.
7) **State Public information officer:** SPIO means the state public information officer designated under sub-section (1) and includes a state Assistant public information officer designated as such under sub-section(2) of section5.

8) **Central Public information officer** – He/she is government officer designated by government office for supplying information of central government department under RTI Act 2005.

9) **Whistle blower:** He/ she is a person who tells the public or someone in authority about alleged dishonest or illegal activities occurring in a government department, a public or private organization, or a company. The alleged misconduct may be, a violation of a law, rule, regulation and/or a direct threat to public interest that may be financial or unethical, and corruption. Whistle blower may rise his or her voice for internal matter that is for his organization or external matter that is for any other organization.

10) **Official Secrets Act**- The Official Secrets Act 1923 is India's anti-espionage act held over from British colonization. It states clearly that any action which involves helping an enemy state against India. It also states that one cannot approach, inspect, or even pass over a prohibited government site or area. According to this Act, helping the enemy state can be in the form of communicating a sketch, plan, model of an official secret, or of official codes or passwords, to the enemy. The disclosure of any information that is likely to affect the sovereignty and integrity of India, the security of the State, or friendly relations with foreign States, is punishable by this act.

11) **Democracy**- Democracy is a political form of government in which governing power is derived from the people, by consensus, by direct referendum, or by means of elected representatives of the people. The term comes from the Greek: *(dēmokratia)* "rule of the people", which was coined from *(dēmos)* "people" and *(Kratos)* "power", in the middle of the 5th-4th century BC to denote the political systems then existing in some Greek city-states.

12) **Bureaucrat**- A bureaucrat is a member of a bureaucracy and can comprise the administration of any organization of any size, though the term usually connotes someone within an institution of a government or corporation. Bureaucrat jobs were often "desk jobs" (the French for "desk" being *bureau*, though bureau can also be
translated as "office"), though the modern bureaucrat may be found "in the field" as well as in an office.

13) **Record:** Any document, manuscript and file, microfilm, microfiche and facsimile copy of a document, reproduction of image or images embodied in such microfilm (whether enlarged or not) and any other material produced by a computer or any other device.

14) **Citizen:** Hear in this the citizen means the people Cachar who are the sample of the research. But in a broad manner are Indian are citizen for India.

15) **Appropriate government:** It means in relation to a public authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly by central government, union territory administration, the central Government or the state government.

16) **Third party:** third party" means a person other than the citizen making a request for information and includes a public authority.

17) **Appellate Authority:** AA is the departmental head of an office if any applicant is dissatisfied with the decision of PIO or information provided by him then the applicant have to apply to the Appellate Authority without any application fee.