CHAPTER II

REVIEW OF LITERATURE

II.1 Introduction

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To complete research design, a brief resume of related literature is presented. A literature review discusses published information in a particular subject area, and sometimes information in a particular subject area within a certain time period. A literature review can be just a simple summary of the sources, but it usually has an organizational pattern and combines both summary and synthesis. A summary is a recap of the important information of the source, but a synthesis is a re-organization, or a reshuffling, of that information. It might give a new interpretation of old material or combine new with old interpretations or it might trace the intellectual progression of the field, including major debates. Depending on the situation, the literature review may evaluate the sources and advise the reader on the most pertinent or relevant.

Every piece of ongoing study needs to be connected with the work already done, to attain an overall relevance and purpose. The review of literature, thus, becomes a link between the research proposed and the studies already done. It tells the reader about aspects that have been already established or concluded by other authors, and also gives a chance to the reader to appreciate the evidence that has already been collected by previous research, and thus projects the current research work in the proper perspective. This helps in understanding the nature and design of research investigation and provides evidence that the researcher is familiar with what is already known. Since effective research is based upon past knowledge, a survey of past literature helps to eliminate the duplication of what has been done and sometimes provides useful hypothesis.

A good researcher usually goes through a lot more literature than is actually incorporated in the paper. This is because different literature may have differing relevance for the current project and all of it may not worth reporting in the end, but in the initial phase, when you are looking for all aspects of an issue that could be relevant one would like to extensively explore the literature and see if any relevant findings are already available. Some of the literature reviewed is directly relevant and hence used as a preface to explain the background of work. Then other reports may be
relevant from the point of view of the project as they provide some clues to the puzzle by suggesting a hypothesis, which may be the subject matter of your research project. Lastly, review of literature is also important to highlight difference in opinions, contradictory findings or evidence, and the different explanations given for their conclusions and differences by different authors. In some cases, an analysis of these factors can help to understand the facets of a complex issue and at other times, such analysis can lead to a new possibility that can be researched upon in the current project. Thus review of literature is a very important part of one's research.

II.2 Review of Literature
Keeping the review of literature as above in mind here, an attempt is made in this study to examine the role and impact of Right to Information Act in India as well as in the study area of Osmanabad District. For that purpose the following research work done by various researchers and authors has been reviewed in this study.

Ali (2007), Ali has highlighted the problems and Amendments of Right to Information Act by a case study. The Right to Information Act is draconian in nature and passes all the limits of democratic norms of the civilized society. It is poorly drafted, open ended and unbound act and conceives coercive methods to deliver the information to the public. It also states that democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable are to be governed. Unfortunately, proclamation of the RTI acts fails in achieving most of its objective. The Aligarh Muslim University is a residential institution, which was established by Sir Syed Ahmad Khan. The University has 88 Departments, which are grouped under twelve faculties. The University has four colleges and few other maintained institutions such as two polytechnics and few schools. Besides teaching, University is aimed to promote education and culture of Indian Muslims. There are more than 25,000 students enrolled in various courses. There is more than 1500 teaching staff and over 6000 non-teaching staff including staff engaged in residential halls. Initially University had appointed registrar as PIO and Vice-Chancellor as appellant authority. Since the number of applications under RTI overwhelmed the University, number of PIO’s was increased to more than 120 and Registrar was appointed as
appellant authority. Principal University was made PIO as the number of application under RTI related to the Polytechnic was large.

1. Information sought in often frivolous and does not serve any public interest.
2. The topics on which information is sought are;
   - Utilization of grants obtained by the Principal under MODROB.
   - Appointment of examiners by Principal.
   - Classes taught by the Principal
   - Authority of Principal to appoint examiners
   - Places Principal visited in last 2 years
   - Jurisdiction of Principal to open the mail which send through him
   - Authenticated copies of BOS of which person is member
   - Authenticated copy of the Proposal submitted to the Ministry of Food Processing to obtain grant of Rs. 50 lakhs by the Principal. (proposal was stolen by the same person)
   - Minutes of Purchase Committees.
   - Allocation of teaching load to Guest faculty by the Principal
   - Names of teachers whom warning letters have been issued.
   - Reasons for not letting a particular person to attend a trade fair.
   - Whether BOS are democratic
   - Under what rule it is illegal to include name of brother in the paper.
   - Principal’s authority to allot a room.
   - Certain letters written to higher authorities.
   - No. of first aid kits available and their location

3. Most of the letters received under RTI are to challenge authorities.
4. Most of the staff is over worked and Principal is unable to devote time on supervision of teaching, which is not taking place since RTI came in enforcement.

Suggested Amendments
1. An organization as whole must be treated as a collective unit to give information. Members/employees must not be allowed to seek information barring a few very specific situations
2. Penalty clause for the information seekers: The Act must be amended to introduce a penalty clause for the information seekers “Clause 20 must
have 20(3) as a penalty clause for the information seekers” – in case the motives of the information seekers is to harass an official, obstruct him letting performing duties and cause mental torture or for any such reason, a person may be barred from seeking information in future and the actual cost incurred on human resources, material and up-keep of the office must be recovered from the individual.

3. Barring special cases for the BPL persons, all individuals must pay for actual time etc spent in collection and compilation of information with a minimum fee of Rs. 500/ per information.

4. Third party information seekers must be barred and a penalty up to Rs. 10,000 may be imposed.

5. Cartels seeking information or assisting individuals to harass officials or cause mental anguish using RTI must be persecuted for the criminal offence and penalized by fine, jail or both.

6. Information seekers may ask for and supplied with the information as available but seeking explanation or reasons for certain decisions must be banned unless recorded at the time of taking such decisions.

Ali has covered the case study of problem and amendments of Right to Information Act but he has not studied the prospectives of the Act in India.

**Ali (2010),** here in this article Ali explained how Government of India’s Chief Information Commissioner, Wajahat Habibullah, said that Kashmiri youth were angry and resorting to stone-pelting, as they were sceptical about the state government.

“The problem in Kashmir is that the people here feel that New Delhi installs hand-picked governments in the state. The Government of India has committed mistakes on Kashmir (in the past),” Wajahat said at a daylong seminar on Right to Information Act in this central Kashmir district. “Kashmiri youth are pelting stones. There is a need to know why they are doing so. They feel this government is not theirs. They have grievances about the functioning of the system,” he said and added that if the angry youth could be made to realize that the government was listening to their grievances, may be they may not resort to stone pelting.

Wajahat has, earlier, worked at different positions in the state government as Divisional Commissioner, Kashmir, and Deputy Commissioner in early 90’s. A 1968 batch Jammu and Kashmir cadre IAS officer is heading the Central Information
Commission since October 2005 and is due to retire later this year. Earlier, Wajahat was tipped to be the Chief Information Commissioner of Jammu and Kashmir, but couldn’t take up the responsibility as he was not relieved by the Centre. Wajahat said he had felt the impact of the Act at the centre in past five years and that was the reason that he was intending to return to Kashmir. “The dark days have passed in Kashmir and future is waiting. We have to remove the bottlenecks to overcome the dark period for which implementation of the RTI is necessary. It was my dream but dreams often don’t turn to be a reality. I am sad,” he admitted candidly.

The District Development Commissioner, Muhammad Rafi said RTI act was not an enemy but friend of people and the government. “The access to information related to government functioning would ultimately lead to peoples’ participation in the development works and ensure transparency in the system,” Rafi said. “The RTI activists have right to seek information but it is not a forum to audit the government functionaries,” the DC said.

The RTI movement Convener, Dr Muzaffar Bhat said their aim was to spread awareness about the law under which the government functionaries were accountable before people. “RTI is the best tool to ensure transparency in the system, and strengthening of the institutions,” he said.

Here Ali explained the need of Right to Information Act in Kashmir District but in reality it did not work because of state government.

Aswale (2007), He has explained in his article the role of people and the government in the implementation of Right to Information Act by conducting the survey of Osmanabad District. He found that 93% of the people are not aware of Right to Information; he has also explained how to control the malpractices, misappropriation by demanding information from the concerned offices by giving some examples

a) “Jansunwai” held at Rajasmand Panchayat in Rajasthan. It was noticed that there was corruption of over Rs 70 lakhs in Rajasmand Panchayat in six years.

b) There was a poor woman named Triveni in East Delhi. Antyodya Card (for poor people) she did not get food grains on this card for six month from rationing shop. As per the Right to Information Act she applied and demanded the details of the retaining shop in Feb 2005. After this it was notified that she got 25kg wheat by Rs2 per kg and 10kg rice by Rs3 per kg.
c) In Pandavnagar East Delhi, the citizens have been demanding to repair the roads since last three years. Under Right to Information Act, they applied to Delhi Municipality for the information about when the road repaired. The citizens of Pandavnagar got shocked information that the road was repaired before a month, actually the road did not repair for last 3 years.

d) The social Organization ‘Parivarthana’ in Delhi demanded information about the work made by the Delhi Municipal Corporation sanctioned 29 electric meters and released funds of Rs1.3lakhs. But actually only 15 electric meters were purchased and found that worth of Rs70lakhs assets not available which was on record.

e) A candidate applied for a primary teacher post at Jawja was suspicious about the selection process. He demanded documents of process of Interviews to the management.

These events showed the role of government and people in implementation of Right to Information Act as a tool, but he has not covered the study of Problems and Prospectives of Right to Information Act in Osmanabad District of Maharashtra State.


Bankar (2007), Bankar has focused on Right to Information Act as a tool to improve the Governance of India.

Right to Information is derived from our fundamental right of expression under Article 19. If we do not have information on how our Government and Public Institutions function, we cannot express any informed opinion on it. This has been accepted by various Supreme Court judgments, since 1977. Why is the freedom of the media considered as one of the essential features for a democracy? Democracy revolves around the basic idea of Citizens being at the center of governance and a rule of the people. We need to define the importance of the concept of freedom of the press from this fundamental premise. It is obvious that the main reason for a free press is to ensure that Citizens are informed. If this is the main reason for the primacy given to freedom of the press, it clearly flows from this, that the Citizen’s Right to Know is
paramount. Also, since the Government is run on behalf of the people, they are the rightful owners who have a right to be informed directly.

True democracy is impossible until we recognize the majesty of the individual citizen. If individual citizens are empowered to ensure greater accountability and transparency in governance, it can bring about a major change. There has been no vehicle available for individual citizens to impact the governance structure. The Right to Information is available to every Citizen, and can be used by individual Citizens from their own houses.

Bankar has focused on Right to Information Act as a tool to improve the Governance of India but he has not studied any problems of Right to Information Act.

**Bhuyan (2008)**, Bhuyan explains that this article focuses on the Right to Information movement in India, its objectives, the political statements encountered and the progress made so far. It has considered a crucial tool in functionalizing democracy; the newly passed law is likely to restore confidence among citizens who have lost faith in the prevailing governance structures. But much will depend on the level of awareness and the extent which people can persist in defending this Right.

This article has also explained the major obstacles of Right to Information Act such as Right to Information movement slowly grows against a hugely reluctant government i.e., government officials refusing to accept applications requesting information etc.,

Another major obstacle to Right to Information is the appointment of retired politician as State Information Commissioner. She had an experience of this when she asked a former college mate to contact his associate, a State Information Commissioner (SIC) for his help in publicizing the new law. The author’s friend’s response was that he couldn’t possibly ask the State Information Commissioner as he was a former principal Secretary of State, and was still on close terms with chief minister of state. This is apparently not single case in India; political appointment of Information Commissioner is ampant and is making the Right to Information Constitutionally weak.

Bhuyan has studied and focused on the Right to Information movement in India, its objectives, the political statements encountered and progress made so far but he has not covered the study of Osmanabad District of Maharashtra State.

**Chamraj (2005)**, Chamraj has focused to expose the law's weaknesses and make recommendations to better by the recently passed Central Right to Information Bill.
A group of 'information enthusiasts' belonging to a variety of non-government, consumer welfare, residents' associations and other organizations are members of Karnataka Right to Information Act (KRIA) Forum or 'KRIA Katte' in short. Their focus is on issues that plague big cities, like land grabbing, building bye-law violations, encroachments on public lands, delays in implementation of projects, property tax matters, and so on.

B.H.Veeresh of Brashtachara Nirmoolana Vedike (Anti-Corruption Forum) has brought to light that the Bangalore Mahanagara Palike's (Bangalore City Corporation) own joint-venture multiplex theatre-cum-shopping complex coming up on Magrath Road in Bangalore is completely illegal as it has been given a building license by the BMP Commissioner, whereas the Karnataka Cinema Regulation Act requires permission for theatres to be given by the Deputy Commissioner of Bangalore (Urban) district, a state government functionary. Also, because the project cost exceeds Rs.50 crores (it is in fact Rs. 90 crores), a public hearing should have been held, an Environment Impact Assessment (EIA) done, and an NOC given by the Karnataka State Pollution Control Board (KSPCB) for the project. But none of these have been done. He has made a request under KRIA to the DC of the Bangalore (Urban) district as well as the KSPCB asking for copies of documents giving permission to the multiplex theatre complex but is yet to hear from them.

The Central Right to Information Bill, now awaiting Presidential assent, is likely to remedy several of the weaknesses in the right to information regime in Karnataka. For the first time, there will be a strong and independent information commission as the second appellate body at the state level with the power to impose penalties.

Chamraj has studied and focused the weakness of Right to Information Act in Karnataka but he has not mentioned any prospectives of this Act.

Chandravarkar (2006), here in this article he explained that Right to Information Act is so important that it should be known by our younger generation.

It was Maharashtra law that served as a model for what is today the Right to Information Act. No wonder the state is now leading the way to introduce this sunshine legislation to the younger generation.

Come June 2007 and the Maharashtra State Board of Secondary and Higher Secondary Education will become the first to include RTI in the school curriculum. Civics textbooks for class VI will include a section on RTI, its uses and benefits,
while class X students will get to familiarize themselves with the practical aspects of preparing RTI applications as a part of their annual project work. In class VI, RTI will be a part of the section on citizens' rights and not a full-fledged chapter unlike other Acts like the Consumer Protection Act, which is a separate chapter in the class X economics textbook. "Today, everyone has the opportunity to use RTI. To help in greater awareness, it is important to begin at a young age," said State Board Chairman Vasant Kalpande. "There will be no technical jargon used and we will give the students a glimpse of the fundamental nature of the Act," Kalpande said. It was Maharashtra law that served as a model for what is today the Right to Information Act. No wonder the state is now leading the way to introduce this sunshine legislation to the younger generation. Come June 2007 and the Maharashtra State Board of Secondary and Higher Secondary Education will be the first to include RTI in the school curriculum. Civics textbooks for class VI will include a section on RTI, its uses and benefits, while class X students will get to familiarize themselves with the practical aspects of preparing RTI applications as a part of their annual project work. In class VI, RTI will be a part of the section on citizens' rights and not a full-fledged chapter unlike other Acts like the Consumer Protection Act, which is a separate chapter in the class X economics textbook. "Today, everyone has the opportunity to use RTI. To help in greater awareness, it is important to begin at a young age," said State - Board Chairman Vasant Kalpande. "There will be no technical jargon used and we will give the students a glimpse of the fundamental nature of the Act," Kalpande said.

Chandravarkar has studied and focused that how much Right to information Act is important to the younger generation but he did not explain its any impact.

Chavan (2009), Chavan has highlighted the problems of Right to Information Act in Delhi. Replying to a question in Lok Sabha, Chavan said that 12 percent of the women and 26 percent of men were aware of the RTI Act in the country that is as much as 75 percent of citizens were dissatisfied with the quality of information provided under Right to Information Act, Minister of State in the Ministry of Personnel, Public Grievances & Pensions Prithviraj Chavan.

Explaining about the steps taken by the ministry to aware concerned officials about the RTI Act, he said: “The government is imparting training to public information
officers, first appellate authorities and other stakeholders. We have issued several
memoranda clarifying various provisions of the Act and have published five guides on
the RTI Act.” The minister said that a budget estimate of Rs. 14.16 crores has been
spent under the centrally sponsored plan scheme on strengthening, capacity building
and awareness generation for effective implementation of the RTI for the year 2009-
10.
Chavan has studied and focused the problems of Right to Information Act in India but
he has not mentioned any prospectives of this Act.

Dasguptha (2010), here in this article she explains some successful stories of Right to
Information Act in Purulia villagers.

On being asked his age, Kolebor Kalindi, a resident of Koru village in Baghmundi
block of Purulia, fumbles for an answer. The 20-odd neighbours and relatives
surrounding him do some loud thinking, and conclude that he cannot be more than 40.
Kalindi, a farm labourer with a family of seven, looks older. His neighbours don’t
seem to know their ages either. More occupied with trying to eke out a living as farm
labourers, the community, mostly belonging Scheduled Castes, doesn’t spare much
thought to birth dates.

Yet, they are all familiar with the Right to Information (RTI) Act, thanks to the efforts
of some students in the US who trace their origins to West Bengal and a local
organization called the Mandra Lions Club. The two groups joined forces to educate
the people of the three blocks in Purulia — Baghmundi, Jhalda I, Jhalda II — about
the importance of using RTI to gain information about the workings of government
agencies in matters that directly affect their daily lives. This year they plan to launch a
website which will feature these stories from the grassroots.

Like the story of Kalindi, who got an educated farmer, Basudeb Kumar, to file an RTI
about the amount of ration a BPL card holder is entitled to under the public
distribution system. The RTI, filed at the village panchayat office, also sought the list
of people under the Annapurna and Antyodaya schemes.

“We are labourers. After a day’s work of making cane baskets, I don’t get more than
Rs 50 to feed seven mouths. The ration shop would usually give us one or two kg of
rice every week,” says Kalindi. But after the RTI, he found out that he was entitled to
five kg of rice every week, at the rate of Rs 2 per kg.
“My youngest daughter, five-year-old, goes to an ICDS centre. There were times when they were not given midday meals, or when the teachers didn’t take classes,” says Kumar, a farmer. Armed with the written reply from the panchayat secretary, Kumar took up the issue with the ICDS centre. He claims midday meals have now become regular, with better food quality.

Ashish Sinha, another labourer, filed an RTI about the number of days the local ration shop should remain open. “The ration shops only open once a week, when they are supposed to keep them open for five-and-a-half days in a week. Armed with the RTI reply, Sinha hauled up the nearest dealer. As the word spread, eight PDS dealers were questioned. The shops are now open four days in a week and the dealers have put up boards indicating the stocks they have and the prices,” says Tathagata Sengupta, 25, one of the students involved in the movement.

“We are mostly insulated to the realities of nearly 80 per cent of our country. We have the resources to bring about development, individually and also as a part of an organization. There are lots of people willing to work, but they don’t know how to go about it,” he says.

Here in this article Dasguptha explains some successful stories of Right to Information Act but she did not explain its problems.

**Dhawan (2010)**, here in this article Dhawan has explained how Indian citizens living abroad seek access to Right to Information Act, launch signature campaign. Indian citizens living abroad have kicked off a signature campaign demanding that they be able to access information through the Right to Information Act. The campaign has already attracted about 145 signatures in just four days from people of Indian citizenship residing in the US, UK, Switzerland, Singapore and Dubai among other countries.

The appeal -- addressed to PM Manmohan Singh -- urges that Indians living abroad be allowed to have a voice in governance. This has been a long-standing demand of Indian citizens but in the absence of procedure or rules, there has been no effective implementation of the legislation.

The demand is that the legislation should not apply only to NRIs but also to citizens residing abroad for a short time or traveling for education or job purposes, and even officials posted in Indian missions or on deputation to international bodies.
Dhawan has explained in his article how Indian abroad seek access to Right to Information Act, launch signature campaign but he has not explained about the problems of this Act.

Gai (2006), He explains in his article that in some cases Right to Information Act can be used to access information from private bodies.

In certain circumstances, it can also be used to get information from private bodies. Here with an interesting case which was recently decided by the Central Information Commission directing a public authority to obtain information from a private body and communicate the same to the applicant under the Right to Information Act.

A parent had admitted his child into an unaided school in Mumbai. At the time of admission, the school had informed parents that it would be switching from SSC to ICSE. However, the affiliation did not come through. The school informed the parents that the affiliation was held up due to a technical hitch. Some parents wanted to take up the issue with the ICSE board. Hence they wanted detailed information from the board regarding the issue. As per information put on the internet by the Government of India, information with respect to the Council for Indian School Certification Examination (CISCE) comes under the deputy secretary, human resource development ministry, department of secondary and higher education, bureau of secondary education, who is the public information officer (PIO) appointed under the RTI Act. Accordingly, an application was made to the PIO.

The PIO refused to furnish the information on the ground that CISCE is an autonomous body which is registered under the Societies Registration Act and hence does not come under the administrative control of the ministry.

The applicant challenged these orders by filing a second appeal before the Central Information Commission. The applicant's main contention was that the PIO ought to have accessed from the CISCE the information sought and then furnished the same to the applicant. In support of his argument, the applicant relied on Section 2 (f) of the RTI Act, which states: "Information means any material in any form, including records, documents, memos, e-mails, opinions, advice, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data 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." The Central Information Commission fixed the matter for hearing. The applicant sent his written
submissions. The CISCE was represented by its personnel officer. The PIO appeared in person along with a representative from the HRD ministry.

After hearing the parties, the Central Information Commissioner passed an order directing the bureau of secondary education to obtain the relevant information from the CISCE within 15 days and supply the same to the applicant with 21 days from the date of the order.

Here in this article Gai explained that this is a landmark order which helps the common man effectively use the Right to Information Act to get information from private and autonomous bodies under certain circumstances.

Gai (2009), Gai has highlighted the problems of Right to Information Act in India, Dr S P Thirumala Rao, a consulting physician in Mysore, was upset that some agency had dug up the footpath in front of his clinic for laying telephone cables through PVC pipes but had failed to restore it after completion of the work. The damaged footpath and the projecting pipe was causing obstruction to his patients as well as to pedestrians. He submitted two RTI applications to the Mysore City Municipal Corporation seeking information about the telephone service provider who was responsible for this.

As the information was not furnished within the prescribed period, he filed a consumer complaint before the District Consumer Forum claiming compensation and costs from the municipal corporation. In its defence, the corporation claimed that the information could not be furnished within the prescribed period due to heavy workload. It also claimed that the work was carried out by Reliance and the Government of India through the Department of Telecommunications, and hence the corporation could not be held responsible for the same. The jurisdiction of the consumer forum was also challenged.

The forum observed that the RTI Act bars the jurisdiction of courts, but not the consumer fora as the Consumer Protection Act (CPA) is meant to be an additional remedy. Further, the RTI Act does not deal with compensation for deficiency in service. Hence, a complaint filed to claim compensation for deficiency in service for failure to furnish the information would be maintainable under the CPA. Since delay was admitted, the forum awarded token damages of Rs 500 and costs of Rs 100.

Gai has studied and focused the problems of Right to Information Act in India but he has not mentioned any prospectives of this Act.
Gandhi (2005), Gandhi has covered the study of implementation of Right to Information Act in Maharashtra state i.e., in this article the author explains the issue of the Maharashtra state government allowing lessees whose leases have expired being allowed to continue occupation of public lands at absurdly low rents, i.e., the author asked for a personal meeting with the Chief Secretary R M Premkumar on this matter. Later Gandhi met him & gave him written complaint about the “Arbitraviness and huge loss of public money in public lands given on lease”. For this Premkumar said that he was calling a meeting of a host of officials to look into this. Since he got no reply, he sent a fresh right to information application after 4 months where he described the sequence of communication he had with government so far and also reminding them that the loss per day to the public exchequer. In new Right to Information application, he asked for the daily progress report of action taken on this complaint & photocopies of any correspondence.

He got reply from P L Pathak, Public Information Officer at the chief secretary’s office, saying our senior public servants treat the loss of public funds with complaint disdain. They have refused to give a daily progress report since there was no progress. At last after a lot of consistent persuasion, Premkumar admitted that “the problem of arbitrary lease rents arises because the state does not have a policy on the same”. But the only thing required is a will to recover the money due to the public.

Gandhi has covered the study of implementation of Right to Information Act in Maharashtra State but he has not covered any problems of this Act.

Gandhi (2006), Gandhi focuses in his study the successful cases of Right to Information Act in India i.e., the author explains how the young blind man sought his help. Chandrakant Sasane is 31 and belongs to scheduled caste. He holds an M.A degree in social work. He said that though he was selected for per floppy along with replacement the position of lecturer at Mumbai’s N. G.Acharya & D.K.Marathe College did not appoint him to the post.

By using the Right to Information law, Gandhi asked for documentary evidence from the college as well as from Bombay University. The college has no replied, but the information given by Bombay University is alarming. Bombay University selection committees with seven of its eight members present unanimously selected Chandrakant Sasane for appointment as lectures to teach the foundation course in philosophy at the college. The post was reserved for SC/ST and six candidates had
been interviewed. The University followed up and sent a recommendation to the college to appoint Sasane.

However, without any reasons, the college asked the University for Permission to advertise for the same post on next year. The university refused permission, since the college had not appointed Sasane. This is the story of blind young man waiting for a job about 17 months now in Chembur, Mumbai.

Therefore the Right to Information law will continue to help expose misdeeds and common citizens every where will seek accountability.

Gandhi has studied and focused the benefits of use of Right to Information Act in India but he has not mentioned any impact of this Act.

**Hardikar (2004),** Hardikar has covered the successful case study of Narmada Valley Project by using Right to Information Act. He has explained in this article that how Right to Information Act has checked Narmada Dams Issue that is the old union minister for water resources Priyaranjan Das Munshil sends his three members Central Government team to visit the Narmada Valley submergence Area. Because New Delhi wants to assess the status of resettlement and rehabilitation of oustees who are mostly tribal people, before sanctioning further increase in the height of the gigantic Sardar Sarovar Dam. The Prime minister is reported to have asked Das Munshi to visit the valley.

He has also highlighted why the New Delhi asked Das Munshi to send their team to river Narmada valley i.e., the record of Narmada valley projects are perhaps the starkest example of both livelihood related rights violation as well as massive publication information manipulation. The author has also explained how Narmada Control Authority (NCA) is an official agency that wants the country to believe that it has lifted a civilization from river valley, and resettled it to a new word. If that’s not all the news is posted online. This is after all the era of information.

The NCA says that it has rehabilitation and resettled all the families affected by the Sardar Sarovar Project (SSC) when the dam height was raised from 100mtrs to 110.64mtrs. “The balance of R&R “says the NCA’s official website “is zero”

The Narmada Bachao Andolan (NBA) is the people’s movement against the Sardar Sarovar Project (SSP). The people’s group says that the information posted on the NCA’s website is “Untrue & False”. The Andolan has been demanding the Right to Information since 1986. But this year 2004, the NCA did post the information about
rehabilitation and resettlement of dam displaced persons on its website but the website misinforms on many issues including the aspect of rehabilitation. It is in this light that New Delhi’s decision to send a team to the river valley must be seen.

He has studied and focused the benefits of Right to Information Act in India but he has not mentioned any problems of this Act.

**Harkauli (2009),** He has covered the case study of implementation of Right to Information Act in Delhi. Government tender documents and minutes pertaining to the Rs 551.5 crores disinvestment of Bharat Aluminium Co (Balco) eight years ago, cannot be traced by the ministries concerned, according to a response to an RTI application seeking details by advocate Arjun Harkauli on the issue.

Central Information Commission observed, in response to the request for information relating to disinvestment of government's 51% stake in Balco, the CPIOs of respondents have stated they have made attempts to search and trace the desired documents but to no avail". In its reply, the central government has nowhere stated that the documents have been destroyed or that it cannot be supplied due to any bar under Section 8 of the Right to Information Act, 2005.

In its response dated January 29, 2009, the Department of Disinvestment, which comes under the Ministry of Finance said, "the records available with the Department of Disinvestment show that Ministry of Mines, and not Department of Disinvestment were in consultation with the advisors, even though the Department of Disinvestment has signed the agreement with the advisors." In its response dated March 3, 2009, the ministry of mines had stated "the said documents have not been found in the available files in this ministry".

Harkauli has covered the case study of implementation of Right to Information Act in Delhi but he has not studied the prospectives of Right to Information Act in India.

**Jadhav (2007),** Jadhav has focused how Right to Information Act and Stake holder helps in higher education.

Right to Information shall, if properly and promptly used, surely help the stakeholders in Higher Education safe-guard and protect their interests in right directions, and it will definitely hasten our social transformation. It provides the stakeholders a new opportunity to direct and channel their strength and vitality in proper and right directions, now it is a kind of religious duty for them that they should all perform with
spiritual honest and sincerity, if they all do, they will experience nothing less than ‘Moksha’ on the earth.

RTI Act first time gives us a very effective instrument for practical understanding of the right to freedom of speech and expression, as envisaged in our constitution, if promotes transparency and accountability in the working of each and every public authority, barring a few ones.

RTI no doubt shall, let us hope, make a new world emerge in our view, barring all petty differences, conflicts and cold wars in the near future, let it be ‘a new brave world’ of affections, freedom, sincerity and co-operation – then, there will be no scope for any kind of doubt that Higher Education shall transform our society quite speedily by rooting out all kinds of fear, now prevailing in thousands of minds.

Jadhav has studied and focused the benefits of use of Right to Information Act in India but he has not mentioned any impact of this Act.

*Jadhav (2007)*, Jadhav has explained in her article, about the role of Government and process in Implementation of Right to Information Act.

In the pattern of democratic country. The evolutionary act like RTI plays important role to check the corruption and misuse of the power. It is an effective instrument of social transformation. It will depend upon the functioning as well as the effective administration of the government.

**Process:-**

Under the Act, all complying departments have to designate an official as the Public Information Officer (PIO). Any citizen of India may submit a request to the PIO for information in any format, paper or electronic. It is the PIO's responsibility to ensure that the information is obtained from the appropriate department or section.

The person making the request is not obliged to explain why the information is needed. The Act specifies timeframes for complying with the request.

- If the request has been made to the PIO, compliance is expected within **30 days**.
- If the request has been made to an APIO, compliance is expected within **35 days**.
- If the PIO transfers the request to some other department (better concerned with the information requested), the time allowed is **35 days**.
• Information about Human Rights violations by Security agencies have to be provided within **45 days**.

However, in any of the above cases, if life or liberty is involved, the PIO has to comply within **48 hours**. If information is not provided within this period, it is treated as a refusal. Refusal with or without reasons may be ground for appeal.

Having wider scope, the Act is applicable to all public authorities, to the State, all Central Govt. Offices, Municipal bodies, Universities, Colleges, Educational Institutions, Nationalized Banks, Court, NGO’s etc. Thus, in a way, RTI serves as an instrument in the process of Social Transformation.

Jadhav has studied and focused the benefits and Process of Right to Information Act in India but he has not mentioned any impact of this Act.

**Jain (2003)**, Jain has covered the successful case study of implementation of Right to Information Act in Delhi by using Parivarthan.

Triveni, a very poor resident of East Delhi, inspired over 150 residents to file Right to Information applications. Although Triveni holds the Antyodya card, she did not know that its holders could buy ration at highly subsidized rates. Her ration shop was selling at prices almost equal to those at the market and thus she stopped buying from the shop. Supported by Parivarthan, she filed an application under the Right to Information Act asking for details of her records and discovered that ration had been booked under her name using fake thumb impressions.

In fact, Parivarthan workers were beaten up when they went for inspection of records. Soon, Parivarthan started getting reports of people in various parts of Delhi being pressurized to withdraw their applications by policemen, ration dealers, and Food Department officials. This is when Parivarthan workers stepped in again to approach Delhi Chief Minister (CM) Sheila Dixit with a request for her to intervene. The CM soon asked the Chief Secretary (CS) to investigate the issue. As a result of the Chief Secretary” intervention, Parivarthan received the PDS records for four areas in Delhi.

Jain has focused the study of successful cases of Right to Information Act in India, but he has not studied the problems of Right to Information Act.

**Jamal (2010)**, here in this article Jamal explains how Allahabad Municipal Corporation (AMC) refuses to give detail sought by an applicant under the law Right to Information Act.
The Right to Information Act is a potent tool to extract information from government agencies and bring transparency in their functioning. But, the Allahabad Municipal Corporation, it seems, is unwilling to do so. Or else, why the municipal corporation is evasive on giving details sought by an applicant. The AMC has turned down every query of the applicant on some pretext or the other.

Katra corporator Anand Agarwal had first sought details from the AMC about the number of residential houses and commercial buildings in the city and the amount of taxes imposed on these buildings. But in its reply, AMC said it was not clear from the question whether information was sought about the residential houses and commercial buildings of a particular zone or the entire city. Taking this premise, the municipal body refused to give any information.

Next, Agarwal enquired under the RTI Act if there was a government order on the exemption of house tax on degree, medical, engineering or other colleges. If the answer was no, the applicant said, AMC should provide details about the evaluation of such colleges along with the amount of house tax imposed on them. But instead of giving information, AMC authorities replied that there was a provision for this in the Municipal Corporation Act of 1959 and information seeker should consult the relevant sections of the Act. On the question of evaluation of the house tax of the educational institutions, AMC authorities said it was not clear from the question whether information sought was about a particular zone or the entire city.

Here Jamal explains in his article about the problems in their functioning of Right to Information Act but he did not explain prospectives of this Act.

Joshi (2007), Joshi has explained in his paper about the role of Grahak Panchayat in functioning of Right to Information Act.

Right of information has been recognized as a part of fundamental rights guaranteed to the citizens of this country under Article 19(1) of the Constitution of India since long by the Supreme Court of India. All over the world today Right to Information is considered to be bedrock of democracy and can pave the way for transparency. Openness and accountability in governance and ensure effective participation of people in a democratic society.

Akhil Bhartiya Grahak Panchayat is a FEDRAL Organization registered in 1978 as central body of organization at all India level. The main object of the organization is
to organize the consumer movement for the Development of Indian Economy, and to protect the interest of consumer at all levels.

The law had made above provisions for smooth functioning of RTI. Various organizations and individual are exercising this right given by law. Individuals such as veteran social activists like Anna Hajare in Maharashtra, Arivand Kejriwal in Delhi, Prakash Kardale of Indian Express, Shivaji Rawut in Satara, Dr. Dnyanchandra Patil and Prakash Fadake in Sangli are exercising this act for the welfare of society.

On the other hand various social organizations such as Parivarthan, and many other organizations are working in this field. Grahak Panchayat Sangli is one of the NGO working in the Sangli district of Maharashtra state. Grahak Panchayat is also engaged in organizing the seminars on RTI. At the same time they had established MARGDARSHAN SEVA KENDRAS in each taluka places as well as in many villages of Sangli district through which they are awearing the peoples in the rural places and guiding them for how this act should be used to solve their problems.

Joshi has studied the role of Grahak Panchayat in functioning of Right to Information Act in Sangli district of Maharashtra State but he has not covered it in Osmanabad District of Maharashtra State.

**Joshi (2007),** He has explained the impact of Right to Information Act on Administration. He has also explained the rights available under Right to Information Act 2005 that is,

- a) Ask any questions from the government or seek any information.
- b) Take copies of any government documents.
- c) Inspect any government documents.
- d) Inspect any government works.
- e) Takes samples of materials of any government work.

The Right to Information Act can definitely be used as whip to the bureaucracy and the administration.

Joshi has studied and focused the impact of Right to Information Act on Administration but he has not explained the Role of people in implementation of Right to Information Act.

**Kalmadi (2010),** here in this article Kalmadi explains that Government's bid to limit the tenure of sports administrators met with stiff resistance with IOA president Suresh
Kalmadi (himself) and other angry bosses of sports bodies vowing to do everything to protect their autonomy.

Miffed administrators, many of whom are politicians who have occupied the post for more than a decade, made it clear that they would oppose the directive, setting the stage for a bitter standoff with the sports ministry. "We are surprised by the government order and we would do everything to protect our autonomy," Kalmadi told.

"We have called an IOA Executive Committee meeting on May 18 and may convene a General Assembly meeting as well (to discuss the issue)," Kalmadi said.

Cracking down on the sports administrators who have monopolized most of the NSFs, the sports ministry on Sunday announced a new regulation which says federation presidents cannot continue more than 12 years, with or without break, while secretaries or treasurers can serve two terms of four years at a stretch and would have to take a four-year gap before they seek a re-election.

The regulation hurts Kalmadi, who has been at IOA's helm since 1996, while it also seeks to end the reigns of NSF chiefs V K Malhotra (archery), Sukhdev Singh Dhindsa (cycling), VK Verma (badminton), captain Satish K Sharma (aero club) and BS Adityan (volleyball), who have been occupying the top posts for more than a decade. Insisting that the autonomy of the IOA and NSFs are paramount, a defiant Kalmadi said, "Our constitution goes to the International Olympic Council (IOC) and no one can meddle with that. All NSFs also send their constitution to the respective international bodies and no one can interfere there either."

Kalmadi also dismissed sports minister MS Gill's assertion that the guideline would help bring transparency to the functioning of IOA and NSFs.

**Kardley (2006),** Kardley focuses in his study the successful cases of Right to Information Act in India such as, in two recent ruling of Central Information Commission [CIS] rejected candidates requests asking to see their own assessed answer sheets under the Right to Information Act. Central Information Commission’s argument was that the examining authority and the evaluator had a fiduciary relationship and there by qualified for exemption.

One of the candidates Treesha Irish is a post woman in a post office in Ernakulam, Kerala. She appeared for a departmental examination in April 2005 to be considered
promotion. She was not successful from the Ernakulam division. She requested her mark sheet and she was denied.

Other Candidate D.S.Meena is a stores superintendent in the North Western Railways he had applied in October 2005 asking for copies of his answer sheet and those of successful candidates pertaining to selection examination held in July 2005.

While rejecting the final appeals, one by Treesha Irish and another by D.S.Meena, Information Commissioner Padma Balasubramanian applied exclusion provision of Right to Information Act 8(1)(e)&(j). In the both cases selection 8(1)(e) is an exemption on releasing information available to person in a fiduciary relationship and 8(1)(j) is an exemption disclosure of personal Information i.e., “which has no relationship to any public activity or interest or which would cause unwarranted invasion of privacy of the individual”.

Kardley has studied and focused the benefits of use of Right to Information Act in India but he has not mentioned any impact of this Act.

Kejriwal (2003), Kejriwal highlighted study about successful municipality case study of Right to Information Act in India. In this article in his he explains that how Delhi’s roads and lanes are stiff with quality, citizens are facing stiffer resistance from the municipalities official’s i.e. an senior official of the Municipal Corporation of Delhi (MCD) field a police case against staff of Delhi Parivarthan Campaign recently for seeking information under the Delhi Right to Information Act. Parivarthan had demanded a sample of construction material of lane made recently in Sundernagar, a resettlement colony in Delhi. Under the Delhi Right to Information Act, one can legally obtain sample material from any work for public inspection. The sample has not been provided yet, and Parivarthan instead has had to deal with a police case. Sample material in this scenario is usually a slab of cement concrete that been used to build the lane.

In one instance, the slum and Jhuggi Jopdi department of MCD was laying a street in the Jhuggi area of Sundernagar in late February. Citizens observed that ordinary sand was being used rather than red sand and they suspected also that cement was not being used in the correct ratio. They stopped the work and informed Parivarthan as well as the MCD’s Junior Engineer. Parivarthan staff went to the office of the Executive Engineer (EXEN) for the region and demanded that the Junior Engineer be suspended. At this point the Junior Engineer started crying and pleaded for mercy.
The Executive Engineer then offered to transfer the Junior Engineer, replace the material and get the lane done again. In the next few days, after some resistance, the Executive Engineer carried out all the above three promises.

After the lane was made afresh, Parivarthan sought sample of material of the freshly made lane under the Right to Information Law. The intent here was to verify that this time; the engineering department had followed the specifications. Parivarthan plan was (and still is) to send the sample material for examination to an industrial laboratory, with charges typically running to Rs.3000 per sample.

Kejriwal has focused the study of successful cases of Right to Information Act in India, but he has not studied the problems of Right to Information Act.

Kejriwal (2006), He has highlighted and worked for a citizen by using Right to Information Act as a tool in Delhi that is when a citizen, Ashok Gupta came with grievance that he was not getting his Electricity Connection for two years. Because he refused to bribe the concerned Delhi Vidyuth Board officials, instead of taking his complaint with the department, the author asked him to file an application under the new found Right to Information Act. He wanted to know the names of the officials who have not taken action on his application, since as pre law, the consumer is supposed to receive his electricity connection within 30 days of applying for it. Immediately he was provided with the connection. This gave the author the idea of the immense power of citizen’s empowerment.

This event showed the power of citizens by using Right to Information Act as a tool, but he has not covered the study of Osmanabad District of Maharashtra State.

Kejriwal (2006), He has highlighted and worked for a citizen by using Right to Information Act as a tool in Delhi that is when a citizen, Aruna Roy, member of National Advisory Council (NAC) and founder member of National Campaign for People’s Right to Information (NCPRI) has demanded transparency in the demolitions of illegal structures that the Municipal Corporation of Delhi (MCD) is undertaking.

Welcoming the reported statement of Chief Minister Sheila Dikshit that the details of all the 18,000 buildings booked by MCD in the past for various violations, would be put on the Internet, Roy in a letter jointly written with Shekhar Singh, also of the NCPRI, has demanded that the list of buildings that have allegedly violated various laws and liable for demolition should be made public. **"This is not only in keeping**
with the principles of transparency but would significantly reduce the confusion and harassment of the citizens of Delhi," she has said.

In addition to the list of buildings, Roy and Singh have also asked that the names of all the officers responsible for allowing such violations should also be put on the website. Further, the criteria being used by the Delhi Government/MCD to select the structures that they should demolish or seal, and in what order, should also be made public, the activists have asked. Their concern is that action against illegal structures must be taken.

Kejriwal has focused the study of successful cases of Right to Information Act in India, but he has not studied the problems of Right to Information Act.

**Kejriwal (2006),** here in this article he explained how actor-activist Shabana Azmi lent her voice to the Save Right to Information Campaign at Jantar Mantar in Delhi.

As protests against the proposed amendment to de-fang the RTI Act gain momentum nationwide, Azmi put up a robust defence of the existing act and faulted the government for attempting to dilute the very provisions which have made a difference on the ground. “The right to information cannot be snatched away by an amendment. We have to remember that the government is trying to alter the constitution itself by proposing to remove ‘file notings’ from public scrutiny,” Azmi reminded those present at Jantar Mantar even as the agitation entered its tenth day. She was reflecting the sentiment among the protesters that it is critical to save democracy and for that we need the Right to Information Act.

According to Kejriwal, “The response is very positive. Practically, no one wants amendments to the Act which will tear the real fabric of the law and render it useless. We are moving around the country to inform and educate people about it and the possible amendments to draw support.” But he did not focus on the prospectives of this Act.

**Kodag (2007),** Kodag has explained in his article about the problems of Right to Information Act.

In the light of Information Technology every person may be students, teachers, women, employees, farmers, trader, Exporter are needed. Right Information on right time will became powerful tool for Social Transformation. If suppose that information which is secrete is tress by misusers what will happen about Research in Medicines, Universities research Centers, Military or CBI, Police Department and also
Government facilities etc. So I hope there is certain Limitation for Application of this RTI Act 2005. RTI Act plays important role in avoiding corruptions and malpractices in Agriculture sector and also in Education system in India. The use of new technology such as computers, internets and online marketing shall make us aware and stand equally in the global market for survival.

Revelation of Information in actual Practice is likely to conflict with other public interests including efficient operations of the Governments, Optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information and it is necessary to harmonies these conflicting interests in the democratic idea.

There are number of examples and police case going in Judiciaries for malpractices and cheating by Leaders, Officers, and some of the Authorizes of the social organization. This is the main and very dangerous problem in the Indian Context. Some organizations are misguiding the society and general public for the self interest which is used by in politics as strategy. Some information, data, cases, office record Railway Policy, Budget Planning, Government under consideration will not be distributed to the public as general information. This is also one of the important problems in RTI Act.

Kodag has explained in his article about the problems of Right to Information Act but he has not explained any prospectives of the Act.

**Krishna (2008)**, here in this article he explains the importance of information and the Right to access Information about government functioning is a fundamental right of citizens in any democracy. An informed citizenry, and transparency in government functioning are vital tools to contain corruption and hold the Government accountable to its citizens.

Freedom of information flows from the Universal Declaration of Human Rights of adopted by the United Nations in 1948. All citizens have the right to freedom of speech and expression, as well as the right to hold the government accountable for its actions.

Case Studies Highlighting the Success of the RTI Act in India

1. RTI Act can help pensioners get their dues.
2. RTI Act can ensure transparency in National Rural Employment Guarantee Scheme.
3. RTI Act has helped expose irregularities in Public Distribution System.
4. RTI Act has exposed criminals facing life sentence on parole from jail.
5. RTI Act has helped in getting electricity connection.
6. RTI Act has enabled immediate repair of blocked sewers.

He also explained in this article that Right to Information Act is an important tool in the hands of common man but he did not explain its problems in implementing this Act.

Monte (2010), here in this article he explains how Shailesh Gandhi works in an accountable, democratic and transparent manner is possible in the official Right to Information Act machinery.

He sold his business a few years ago to devote himself to a range of public causes, of which the Right to Information (RTI) movement was closest to his heart. When the Central Bureau of Investigation was desecrating the memory of National Highways Authority of India project director Satyendranath Dubey - who was murdered in Gaya in 2003 - and was terming it a case of 'murder he was appointed a CIC in September 2008 for money', Gandhi tried unsuccessfully to bring it to the notice of the nation. In December that year, in recognition of his efforts in the Dubey saga, The Times of India interviewed him on the editorial page. The Bombay Times selected him among the stalwarts of 2003 with Anna Hajare, Mukesh Ambani and other prominent people.

He subsequently became one of the strongest advocates of the RTI campaign in India, for what he believes is a journey towards true Swaraj for India. He was invited by the Parliamentary Committee to give his views on the National RTI bill Using RTI; he has managed to reduce political interference in police transfers, and has had other varied achievements. With his unlikely background he was appointed a CIC in September 2008.

In this article he focused on the prospectives of Right to Information Act, but did not explain its problems.

Nagaralli (2007), she has explained in her article the need, relation of Democratic Government and Right to Information Act,

In recent years there has been an almost unstoppable global trend towards reorganization of the Right to Information by countries, inter governmental organizations civil society and the people. The RTI has been recognized as a fundamental human right which upholds the inherent dignity of all human beings. RTI
forms the crucial underpinning of participatory democracy it is essential to ensure accountability and good governance without information people cannot adequately their rights as citizens are make inform choices.

The relation indicators of RTI & Democratic Government are

- RTI makes popular sovereignty effective.
- RTI provides control mechanism over government.
- RTI makes the government efficient & real.
- RTI makes the democracy meaningful.
- RTI ensures for the process of good government.
- RTI creates democratic culture within political parties.
- RTI educates the people.

Narayan (2003), Narayan on his recent SC judgement reinstated mandatory disclosure from election candidates.

The pioneering efforts of LOK SATTA in 1999 through its Election Watch movement and screening of candidates generated tremendous public response and pressurized major parties to desist from nominating candidates with criminal record. Thanks to this public pressure, in Andhra Pradesh, in subsequent elections, parties refrained from nominating new candidates with known criminal record. The process of criminalization of politics has been arrested through citizen initiatives, though established politicians with criminal antecedents continue to be nominated. Based on this success in Andhra Pradesh, the Association for Democratic Reforms (ADR) filed a writ petition in Delhi High Court, whose judgment in favour of disclosures was challenged by the Union government before the Supreme Court. On New Delhi's refusal to incorporate such disclosures as a part of the nomination process, the Election Commission (EC) on June 28 issued a detailed notification in compliance with the court verdict.

- The Supreme Court verdict of March 13 reiterating the fundamental right of voters to know about candidates is a significant milestone in the evolution of our democracy. First, it has upheld constitutionalism and strengthened our faith in the institutional vitality and corrective mechanisms in our republic. Second, it provides a priceless opportunity for parties to break out of the shackles of criminal elements and moneybags at the constituency level.
Politics as big business, power at any cost, and public office for private gain will simply not do.

- The litigation in question was on the constitutionality of Section 33B of the Representation of Peoples Act. This section was inserted into the law as the outcome of our Parliament's ill-advised effort in 2002 to curtail the fundamental right of citizens to know the criminal and financial antecedents of candidates.

Narayan has explained in his article about the need of Right to Information Act before its existence but did not explain about the prospectives after it came into force.

Ramswamy (2007), He has explained in his article the various issues and expressing optimism in favour of social transformation by the help of Right to Information Act. Right to Information Act, as an instrument of social transformation is thus based on the belief that this act contributes overall strengthening of the democratic governance by increasing participation, accountability, transparency, access to distribution of power and delivery of public services.

Here information is an important input that has three important components.

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<th>Policy Purpose</th>
<th>Primary Stakeholder</th>
<th>Secondary Stakeholder</th>
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<td>To allow citizens to inform and be informed and participate in the deliberations of government.</td>
<td>Individual</td>
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These three broad policy purposes have been identified as consistent with three theories of speech: Democratic Self-Governance; Free Expression and Human Dignity; and, the Marketplace of Ideas (Smolla, 1992). These represent predominantly the rationales for support of right to Information in a society today. The identification of primary and secondary stakeholders helps provide some further focus to our
enquiry, by providing more information regarding expectations about the obligations of public servants and the state within and across its realms. Ramswamy has studied and focused the benefits of use of Right to Information Act in India but he has not mentioned any impact of this Act.

**Rao (2005)**, Rao has covered the study of the successful cases of Right to Information Act in Karnataka State. The Government of Karnataka appointed K K Mishra, the former bureaucrat as the chief Information Commissioner on July 31 2005, as a step forward in implementing the recently passed national Right to Information Act in the State. But the rest of the process has not been so smooth. The Government of Karnataka published the draft ruler in the official Gazette. But the notification stated that citizen’s objections will be considered for a period of 15 days from the date of its publication in the official gazette giving citizens very little time to submit this comments.

S M Acharya, Principal Secretary of the Department of Personnel & Administrative Reforms (DPAR) admitted at a workshop in Bangalore that the draft rules had been framed hastily. He even mentioned that he was unaware when they had been published in the official Gazette.

According to the rules, Right to Information applications will be changed an initial fees of Rs100. But people below poverty line certificate are exempt from fees. In other matter, the draft rules propose Rs5 per page of information on an A4 size paper, Rs25 floppy & Rs25 per CD. Acharya replied that it was an attempt to stem ‘frivolous’ applications. But this high fee could determine even middleclass citizens from using the Right to Information Act.

Rao has focused the study of the successful cases of Right to Information Act in Karnataka State, but he has not covered any impact of Right to Information Act in Maharashtra State.

**Rao (2009)**, here in this article, given the present method of appointment, our chances of getting independent and unbiased Information Commissioners are close to zero, writes Rao.

Many RTI Activists went blue in the face asking the Prime Minister's Office (PMO) and the Department of Personnel and Training (DoPT) what process they have followed for selecting Central Information Commissioners, the highest appellate authorities in the RTI regime. The activists were stonewalled with assertions that
selections were as per Section 12(5) of the RTI Act. But that was a blatant lie. The section reads, "The Chief Information Commissioner and Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance." Given the range of issues brought before the information commissioners, it is important that they be drawn from the widest section of society, and that is why the Act lays down this criterion for their selection. But the actual appointments don't reflect this breadth at all. Look at the biodatas and appointment dates of the Information Commissioners at the CIC website, and mentally join the dots. The truth that emerges is: "The CIC's post is yours for the asking if you are an IAS officer aged around 60, and have worked with PMO, DoPT or I&B ministry. Other cadres like IPS etc. may also be considered. Civil society members - eminent or otherwise - are last preference."

So where is the question of Prime Minister's committee selecting CIC’s as per the criteria set out in Section 12(5)? DoPT is handling CIC selections exactly as it handles all government transfers & appointments! For all practical purposes, the Central Information Commission is just another government department, manned by hard-nosed bureaucrats and loyalists! Given the present method of appointment, our chances of getting independent and unbiased Information Commissioners are close to zero. Also, our chances are being appointed as CIC’s as per section 12(5), or of successfully nominating other members of civil society, are pitifully thin.

Rao has studied and focused the problem of Right to Information Act in this article, but he did not study its prospectives of this Act.

Roy (2002), in this article Roy says Right to Information laws have now been passed in several states, but journalists have not used the law adequately. The involvement of the press has been an exciting part of the campaign initiated by MKSS. No doubt, the campaign has a lot of drama, with news of corruption and details of bills and vouchers that reveal exactly where and how the money has gone wrong. The press was, at the initial stage, surely attracted by the shocking nature of facts exposed by the campaign. (For example, the campaign stumbled upon an instance where records alleging that a number of tractor loads of stone had been supplied for the upkeep of a road turned out to be completely false.)
But in the course of the struggle, the press realized that the struggle for information as. Central to life and livelihood was in some ways much like a second struggle for independence in this country. It is the enabling right for all rights.

At the time of the framing of the constitution we had the right to freedom of expression, but no right to information. We could not access a master roll, a bill, a voucher, a list of people below the poverty line, anything within the government. A right to information law has now been passed in six states: Tamil Nadu (a bad law but it exists), Goa, Rajasthan, Maharashtra, Karnataka, and Delhi. Assam will be next. But why have journalists not used the law adequately? It gives them access to not only panchayat records, but to all kinds of information. Barring Maharashtra where one has to prove that he/she is a bonafide before accessing government information, the law in all the other six states gives unrestricted access to all government records. It is only in Goa that journalists have used the law.

The systems that prevent the flow of information to all parts of the country and consequently to people everywhere are cause for concern. Within Rajasthan for example, what happens in Ajmer is not published in Udaipur. What happens in Udaipur is not reported in Jaipur. The press must fight to ensure that news gets around. The right to information is the citizens' right to information, and it is the obligation of the press to act as a watchdog and ensure that the citizens' rights are enforced.

If we look outside India, in the U.S. and Canada for example, the right to information law has been used extensively by the press. Why is the press in India not using the law? The prime reason for this is because there is no condition penalizing the government if citizens are not given access to information within a specific time limit. Here Roy has explained the problems & prospective of press in using Right to Information Act but he has not explained any other impacts of this Act.

**Sahai and Gola (2006)**, they have covered the study of implementation of Right to Information Act in India. Recently, BBC News carried a feature reporting the prohibitive cost of obtaining information through the Right to Information (RTI) Act in India. A farmer in Chattisgarh who had asked for information on paddy purchases in his area was given a bill of Rs.182000 for costs that were allegedly incurred for photocopying the official documents relating to the purchases. The documents filled an entire room. In another incident, a resident of Bilaspur district, Chattisgarh was
told to pay Rs.75000 for information he had requested on the positions available for schoolteachers.

These incidents should not have happened. They are geared to defeat the purpose of the RTI Act, which is essentially to introduce transparency in governance and to check corruption. The objective of the RTI Act is to improve transparency in public working but the incidents mentioned above reveal the resistance of the bureaucracy to open their functioning to scrutiny. They are unwilling to provide information, and when they have to they resort to creating hurdles by senseless application of provisions of the Act. These incidents underline the great need for a public information campaign to engender a rights literacy program so that the public can become aware of its rights and have full knowledge of the legal provisions through which it can exercise its rights.

Sahai and Gola has studied and focused the benefits of use of Right to Information Act in India but she has not mentioned any impact of this Act.

**Sahu & Dwivedi (2007),** Sahu and Dwivedi have covered the study of implementation of Right to Information Act and its problems by using Information Technology in India.

This paper investigates the problems (if any) to the organizations due to the implementation of RTI Act, 2005 and the possible solutions. The organizations with high use of information technology are not facing difficulties where as the organizations with medium or low use of information technology are facing difficulties due to the implementation of RTI, Act, 2005. Information Technology is a significant tool for the effective implementation of Right to Information Act, 2005. They have covered the study of implementation of Right to Information Act and its problems by using Information Technology but he has not studied the prospectives of Right to Information Act in India.

**Sharma (2010),** here in this article Sharma explained the successful case of Right to Information Act in Allahabad.

The sensational Chetan Sanwla murder and loot case which rocked the city a month back has been worked out with the arrest of five persons from a local park in a joint operation conducted by the Special Operations Group and the local police Informing this, DIG, BB Sharma said on Thursday the SOG and local police received a tip off
about the presence of five persons who had assembled at a local park to share the
booty of Chetan Sanwla loot and murder case.
During interrogation the arrested persons revealed that they had committed the
heinous crime in connivance with a former employee of the murdered businessman
who had hatched the conspiracy and tipped them about the daily movement of Sanwla
and his tendency to carry heavy cash while returning home from office. To carry out
the operation the former employee Kamal Patel roped in the services of members of
notorious Devi gang and hatched the conspiracy to loot Sanwla when he would return
home from office. The group along with Kamal carried out a race on March 16, 20
and 26 of the entire route from which Sanwla used to commute on his return home
from office. During this period the accomplices of the former employee also
identified Sanwla before giving final shape to their operation on April 5.
During preliminary investigation the local police had started zeroing in on former
employees of Sanwla and it was during the course of this, the fact came to light that
Kamal Patel had left the job in January after working for two years in Sanwla's
company. The police also came to know that Patel was in bad company and was in
regular contact with criminals including Devi alias Amit Tiwari. This led the police to
put him under close watch and after sustained observation and surveillance the group
was arrested.
Here Sharma focuses on the successful case of Right to Information Act but did not
explain its problems of this Act.

**Shinde (2007),** here in this article he explains that Right to Information Act is taken
to masses through Films division.

Ever wondered why your electricity bill shows astronomical amounts; or why the
government officer makes you run from one counter to another to issue a ration card?
Well, under the Right to Information (RTI) Act 2005, you have the right to know the
reasons of these lapses.
Films Division's Satish Shinde demystifies the RTI Act in his 20-minute debut
documentary as a director Shraddha Singh. This documentary, released on October
12, marked the completion of two years of RTI in India. Shinde's first directorial
venture, the film takes a broad look at how the act has empowered people and given
them an opportunity to influence the governance. Explaining the importance of RTI,
the film shows a common man harassed and insulted by a government officer, issuing
his ration card. As soon as the man makes an RTI application, the same officer becomes polite and treats him with the respect that a sovereign citizen of India deserves.

According to Shinde, Hazare, who has been a driving force in the making of this documentary, commended it saying: "This film will go a long way in popularizing RTI across the nation, particularly in rural areas. Since Films Division reaches across the country through Doordarshan (DD), it will surely spread awareness."

In this article Shinde explains that how Right to Information Act should be implemented using film division but did not explain its impact.

**Singh (2004),** here this article explains how The National Campaign for the People's Right to Information is asking citizens to put pressure on the Prime Minister to deliver on the UPA government's promise of bringing in a 'progressive, participatory and meaningful' right to information law.

One of the most critical pieces of the National Advisory Council's work in the past few months has begun seeing resistance within the UPA government. With less than a month left for the winter session of Parliament to commence, the National Campaign for People's Right to Information (NCPRI) has reported concerns over the National Advisory Council's progressive draft RTI Act being diluted by bureaucrats in the UPA government. NCPRI is seeking to build greater public pressure on the Prime Minister to counter this.

The civil society group's convenor Shekhar Singh wrote a letter to the internet e-group *HumJanenge* that has close to 200 citizens and activists caucusing daily over RTI laws and usage in several states of the country. In the letter, Singh refers to a meeting that NCPRI members had with the Prime Minister on Oct 21 to discuss the status of the NAC's draft law that has been widely considered as very progressive. (The PM had earlier responded with a commitment to bring a progressive RTI law into Parliament this winter.

Singh in this article explained how Right to Information Act being diluted by bureaucrats in UPA government.

**Singh (2006),** Singh explains in his article that Indians have a right to know what advice an officer gave and if it was disregarded, why it was disregarded.

Though the government has dropped the move to introduce amendments to Right to Information Act in the current session of Parliament, perhaps it has not yet abandoned
its resolve to ruin this perfectly good law and, in the process, lose much of the goodwill it had earned for introducing it.

The first rationale offered is that the Freedom of Information Act of 2002 prohibited access to notings, as did all the state acts and the transparency laws in most “developed democratic countries”. The fact is that the 2002 Act prohibited access to notings only during the decision-making process, as did most state acts. In any case the UPA government repealed the 2002 Act, as it was considered too weak. Therefore, its weakness cannot now be used as a justification to weaken the Right to Information Act.

Another rationale is the presumption that individual officers are likely to face threats to their safety or life, and unnecessary litigation, if notings are made public. However, the existing Right to Information Act already exempts information whose disclosure would endanger the life or safety of any person. Meanwhile, secrecy and lack of accountability continue to threaten the lives and safety of millions of “common” Indians, who are victims of state apathy or terror.

The third rationale is that officers will not give free and frank opinions if these are accessible to the public, and consequently the quality of governance would suffer. However, officers are pressured to write against their conscience not (please note) by the public, but by their bureaucratic and political bosses. These bosses already have access to file notings and do not need the Right to Information Act. In fact public disclosure of file notings would help ensure that officers do not succumb to such pressures. It would deter bosses from over-ruling their subordinates and taking decisions that have no basis in law, or are against public interest.

However, the most outrageous rationale offered is that “in the constitutional scheme of governance adopted by us, it is the government of the day and not the individual officers, who is responsible to the people for its actions/decisions. Bureaucrats, in turn, are responsible to the government of the day”. Clearly, the primary responsibility of the bureaucrat is to the Constitution and to the people of India, and not to the government of the day. Even when the final decision rests with the government of the day, the responsibility for the advice given always remains that of the individual officer who gave that advice. And the people of democratic India have a right to know what advice the officer gave, and if it was disregarded, why it was disregarded. This is a fundamental right in a democracy.
Singh in this article he explains that any problems the government faces in implementing the RTI Act should be shared with the people of India. Then democratic solutions can be found. Otherwise, the struggle to protect this right will go on as, most likely, will the attacks on this right. Over time, such attacks will make the people even more aware of how critical this right is, and strengthen their resolve to defend democracy but he did not explain its impact.

**Sule (2006),** Sule highlighted and worked for people in Andhra Pradesh by using training Programme, National Rural Employment Guarantee Scheme (NREGS) in implementation of Right to Information Act.

It is harvest time, and on an early winter morning some villagers in Andhra Pradesh set out to pluck cotton from the fields. They come back tired in the evening and the women have to cook dinner. Do they know about the right to information? No. Sule was recently involved in conducting a training Programme, and notes how some villages in Andhra Pradesh are gearing up.

The villagers consult among themselves, and then they agree. The exercise is called participatory rural appraisal, or PRA. The training methods are very different from the standard classroom training methods. The participants were to decide how they should learn. The impact of this training and capacity building was seen in the level of enthusiasm and action on the part of participants. On the last day, some of them gave "training" on several modules and conducted those sessions almost like the resource persons. Compare this with conventional classroom sessions of computer presentations, sleepy monologues, and bored faces of participants.

Sule has worked for the implementation of Right to Information Act in Andhra Pradesh State but she has not covered any impact of the Act.

**Tiwari (2010),** In this report it has been explained how Bar Councils opened to public scrutiny through Right to Information Act and should set up a mechanism to facilitate processing of applications directed to them under the transparency law, the Central Information Commission (CIC) has held.

The Bar Council of India and Bar Council of Punjab and Haryana had rejected several RTI applications saying though they were set up under the Advocates Act, 1961, they did not get direct or indirect funding from government, hence out of the purview of the RTI Act. However, the commission in a recent order held that the councils might
not have been financed by the Central or state governments, but they were set up under an Act passed by the Parliament, and hence they are covered by the RTI Act.

"It is held that the Bar Councils — Bar Council of India and the State Bar Councils — are public authorities within the RTI Act... the Bar Councils are directed to take all necessary steps to carry out their duties and responsibilities assigned by the RTI Act," information commissioner AN Tiwari said while directing them to respond to all RTI queries addressed to them.

Here abaca has explained how to deal with the social cases through Right to Information Act but did not explain about the problems faced.

Venkatesan (2010), here in this article the Chief Justice of India K G Balakrishnan he explains that the judiciary for playing an important role in bringing in some of the landmark legislations passed by Parliament in recent years. He said that it is because of courts' intervention that the government has enacted legislation for free and compulsory education and the Right to Information Act.

The enactment of the Right to Information Act, the Right of Children to Free and Compulsory Education Act are some prominent examples of far-reaching legislations whose origin can be attributed to judicial interventions in some part," said Justice Balakrishnan at a national seminar on 'Law and Governance'.

"The Executive has also been responsive towards directions and guidelines given in judicial decisions that have acted as precursors for progressive legislations," he said and asked the government to make the Food Security Bill into a law. On good governance, the outgoing Chief Justice said that the executive has to follow the rule of law to ensures living standards for citizens and formulate strategies to make the state apparatus work for betterment of all sections of the society. He also said media plays an important role in ensuring good governance in a democracy.

In this article Venkatesan explains that the judiciary is playing an important role in bringing in some of the landmark legislations passed by Parliament but he did not explain any problem in implementing Right to Information Act.

Vidyanathan (2008), Vidyanathan has highlighted the problems of Right to Information Act in India i.e., If Right to Information applications continue to rise in number, it will not be too long before the system as we know collapses & will be overhauled, more Suo Motu disclosures are needed to avert this says the author. He writes it is a notable law passed by UPA Government which allows every citizens of
this country to ask for & get details of any publicly funded institutions, scheme or project. It has been routinely reported that the mere mention of invoking this Act put fear into the hearts of government officials, who now think twice before resorting to malpractices or denying citizens their due services, i.e., this single piece of legislations has changed the realities of governance considerably. He also explains that like many other laws, this one too suffers from some lacunae. In its present form the law requires citizens to physically go to government offices to fill out and submit their Right to Information applications and this clearly limits its potential.

If Right to Information applications continue to rise then the present form of implementation will an overdue emphasis on paperwork to response to applications individually even to the same question from different applicants is self defeating. The Right to Information law clearly stipulates that wherever possible, information regarding government schemes programmes etc should be distributed over the Internet. So that citizen’s progressively do not have to ‘seek’ information but instead it is readily accessible to them even without a Right to Information application. The government department will regularly scrutinize the Right to Information applications they receive and in response, Suo Motu put out the most commonly types of information. He also writes that the Indian government is also in the process of introducing 1, 00,000 Common Service Centres, this is a huge step towards widespread Internet accessibility.

Vidyanathan has studied and focused the problems of Right to Information Act in India but he has not mentioned any prospectives of this Act.

Viju (2006), here in this article Viju explains that Maharashtra tops in the use of Right to Information Act to get truth.

The RTI Act was implemented on Dussera day which fell on October 12 last year. The Central Information Commission in Delhi has got 3,405 complaints and appeals. In this regard, too, the state is way ahead. The Right to Information Act now has been effectively used by the poor who otherwise face immense hurdles to acquire simple documents like land records, pension dues, Employment Guarantee Scheme, and pending police cases.

But what is cause for real concern is the rising number of pendency cases. Till the end of August this year, there are 3,483 second appeals and complaints pending for disposal. RTI activists also question the slow pace of disposal of cases. "It is shocking
that only 277 orders have been passed in the last eight months," said activist Shailesh Gandhi.

During an RTI conference last month, activists raised this issue with the state information commissioner and demanded that at least 200 orders be passed each month. "The state commission needs to pull up its socks, so that people get justice," Gandhi said. The CIC received 818 appeals and complaints in August this year and disposed of 369 complaints.

Viju has focused in this article that how much Maharashtra tops in the use of Right to Information Act and its problems, but he did not explain any other impact of this Act.

**Viju (2007),** in this article he explains successful cases of Right to Information Act in Ambhegaon village.

Suvarana Bhagyawant made rounds of the panchayat office to get her grandfather’s death certificate. Every time, the official there would tell her to come later or pay a bribe of Rs 500 to get the work done. Suvarana, a resident of the Ambhegaon village, needed the certificate so that her grandmother could apply for the widow pension scheme. Finally, Suvarana filed a query under the Right to Information (RTI) Act. She got the certificate within eight days. “This piece of paper is like a weapon for the powerless to fight against corrupt establishment,” says Suvarana, pointing to an RTI application.

“Today, we tell the officials that if they do not look at our problems, we will file an RTI query,” says Archana Bhagyawant. She was forced to file an RTI query after the officer demanded a bribe of Rs 150 for the issuance of a new ration card. “I waited for a year and finally when I filed an RTI query, I got it within three weeks. The sarpanch personally delivered it at my home,” said Archana.

The villagers then used the Act to get more teachers appointed at two primary schools in Ambhegaon, solved the shortage of water, and got the damaged electric cable repaired. “We also filed RTI queries asking for the health centre’s status. Now, doctors have started visiting the centre.

Here in this article he explains some successful cases of Right to Information Act in Ambhegaon village but he did not explain its problems.

**Vincent (2004),** in this article Vincent explains how The National Advisory Council has proposed amendments to the Freedom of Information Act. But it's not clear if the
government will take these up. He also discussed about an interview with Arun Roy (The National Advisory Council Member).
The National Advisory Council chaired by Sonia Gandhi finalized path-breaking recommendations to amend the Freedom of Information Act (FOIA). Although this Act was passed in 2002, the rules for operationalising it are yet to be finalized and approved by the government. Civil society groups have pointed out that the FOIA suffers from many weaknesses, and urged the amendment of the Act to close many of its loopholes - such as allowing a large laundry list of exemptions from public disclosure, the lack of an independent appellate authority for enforcement, and other lacunae. Only after such an amendment, they say, should the rules be formulated to operationalise the law.

Given its weaknesses, it was probably just as well that the Act had not been brought into force through enabling rules. Now, the NAC has attempted to intervene in a positive way. The council, recently constituted with leading civil society campaigners and public policy experts, is responsible for monitoring the UPA government's common minimum program (CMP). Referring to the FOIA, the government has committed in the CMP that "The Right to Information Act will be made more progressive, participatory and meaningful". It was anticipated that the NAC's recommendations would form the basis of the proposals to improve the Freedom of Information Act.

Well known and leading RTI campaigner Arun Roy is a National Advisory Council member and has been a key stakeholder in the development of the draft for the proposed amendments to the FOIA. Roy spoke to Vincent

Roy told in his interview about the current law Freedom of Information Act 2002 is not acceptable to the National Advisory Council. Because, the fact remains that current law fails to meet even the minimal standards of best practices on the Right to Information. It needs to be amended before being brought into force and these amendments are what the NAC has drafted.

Vincent explained in this article about the amendment of Freedom of Information Act to Right to Information Act but he did not explain the problems and impact of Right to Information Act.
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CHAPTER III
HISTORY AND STRUCTURE OF RIGHT TO INFORMATION ACT

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CHAPTER III
HISTORY AND STRUCTURE OF RIGHT TO INFORMATION ACT

III.1 Introduction

One of the most neglected rights in democracies throughout the world has been the Right to Information. Although it is one of the most cherished human rights, most countries throughout the world, including India, have largely disregarded it. In the last few decades, freedom of information has been recognized as an internationally protected human right, and societies across the world are changing from secretive administrative system to open and transparent system. In fact, in the year 1776 Sweden is supposed to have put in place the first set of laws for transparency in public affairs more than 225 years ago. On other side, there is an exciting global trend towards recognition of the Right to Information by States, intergovernmental organizations, civil society and the people. There is a growing body of authoritative statements supporting the Right to Information, made in the context of official human rights mechanisms, including the United Nations, the Commonwealth, the Organization of American States and the Council of Europe. All this amounts to a clear international recognition of the Right to Information. In last few years numerous laws gave effect to this right which has been enacted by all nations in the world. Many intergovernmental organizations and professional organizations now place information disclosure systems which are reviewed and updated on a regular basis.

The Right to Information has been recognized as a fundamental human right, which is intimately linked to the inherent dignity of all human beings. Freedom of information, including the right to access information held by public bodies, has long been recognized not only as crucial to democracy, accountability and effective participation, but also as a fundamental human right, protected under international and constitutional law. ¹
III.2. The Need for the Right to Information

In recent years, there has been an almost unstoppable global trend towards recognition of the right to information by countries, intergovernmental organizations, civil society and the people. The right to information has been recognized as a fundamental human right, which upholds the inherent dignity of all human beings. The right to information plays a crucial role in democracy - it is essential to ensure accountability and good governance. The greater the access of the citizen to information, the greater the responsiveness of government to community needs. Alternatively, the more restrictions that are placed on access, the greater will be the feelings of 'powerlessness' and 'alienation'. Without information, people cannot adequately exercise their rights as citizens or make informed choices.

In India, the feudal social fabric has exploited the formal democratic system to its advantage because the literate and the well to do are too busy building their careers and they don’t bother about social inadequacies and the illiterate and the poor are too powerless to force any change. The celebrated Hindi novel Rag Darbari (the Court Music) by Shrilal Shukl, written so many years ago poignantly and allegorically depicts how a person spends a lifetime "in vain to get a 'nakal' (copy) from the court registry without having to pay a mandatory bribe". In such a country, the Right to Information movement has a widespread appeal for everyone. It has been developed through diverse strands for almost the entire period of the country's independent history.

During the last three decades a vast number of human rights have found place in new constitutions and bills of rights of more than eighty countries and of supra-national entities. Countries, which enacted these new constitutions, have had the benefit of all the developments in the human rights, which have taken place since 1950. Also our Supreme Court has by judicial interpretation expanded the scope of the fundamental rights particularly in relation to article 21 and this has included more civil and political rights which were not explicit in Part III.

Article 19(1) (a) refers to 'freedom of speech and expression'. It is proposed that the article must expressly include the freedom of the press and other media the freedom to hold opinion and to seek receive and impart information and ideas. It is also proposed
to amend article 19(2) by adding a further restriction on disclosure of information received in confidence except if required in public interest. 

The realization that right to information is a basic right dates back to 1948, when the universal declaration of human rights was passed. Article 19 declared that “everyone has right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any area and regardless of frontiers.” In India too, even before the passage of the RTI Act, the right to information has been seen as an essential part of the Right to freedom and expression. Today the RTI Act plays important role in avoiding corruptions and malpractices but years back, people suffered silently as victims of corruption without questioning it. They were passive, not participating and very dependent upon others. In most situations, if there are campaigns, which has arisen out of sudden public anger at an event and died down as suddenly or has been sustained critically dependent on a charismatic leadership. Consequently, the results of campaigns against corruption have been temporary and unsustainable.

In India, the fight to guarantee the Right to Information was perhaps taken up for the first time by illiterate villagers in the State of Rajasthan. When the government cheated them of wages they owed for work done during a famine in the mid-1990s, their anger and their determination to hold the government accountable sparked the Right to Information movement that spread across the country. In another instance, the poor people from central Rajasthan got the opportunity to scrutinize the bills on expenditure incurred by respective Panchayat. After accessing the bills, they realized that the expenditure is much more than what was actually spent on welfare programmes on them. This exposed the corrupt practices indulged to both by the elected and appointed officials who used to resort to the technique of "over-billing". These and similar events over the years led to the growth of such groups as MKSS (Mazdoor Kisan Shakti Sangathan) and NCPRI (National Campaign on People's Right to Information) which were devoted to the fight for the Right to Information at the grassroots level. Several political parties at the national level, who have been in government at one time or the other, giving commitments in their election manifestoes to enact a law on the Right to Information.
III.3 Concept of Right

Different types of people live in the society. Every one has the equal status as a part of society. For better living of life they need some rules and regulations. The people have created social institutions, formed government and governmental institutions in the democracy process. All these institutions are bound by the rules determined by the people, for the people in democracy, from this process the laws comes up with human rights

The modern English word “Right” derived from Old English “riht” or ‘reht” derived from proto-Germanic rixtaz which means right or direct, and ultimately proto- Indo European reg-to which means “having moved in straight line”

There is considerable disagreement about what is meant precisely by the term rights. It has been used by different groups and thinkers for different purposes. According to some views;

i. Natural Rights

Natural rights are rights which are desired from God or Nature. They are universal, they depend on the law of a specific society, and they exist necessarily and can’t be taken away. For eg, it has been argued that humans have natured with natural right to survive. Thus the surviving is the right by birth of the people. They are some times called Moral Right or Inalienable rights.

ii. Legal Right

Legal rights in contrast are based on a society’s customs, laws, statutes or actions by legislatures. An eg, of a legal right is the right to vote of citizens. Citizenship itself, is often considered as the basis for having legal rights, and has been defined as “right to have rights”. Legal rights are sometimes called civil rights or statutory rights and are culturally and politically and politically relative since they depend on a specific societal content to have meaning.

Some thinkers see rights in only one sense while others accept that sense have a measure of validity. For eg, Jeremy Bentham believed that legal rights were the essence of rights and he denied the existence of natural rights, whereas Thomas Aquins held that rights are purported by Positive law but not grounded in natural law were not properly rights at all.
iii. Positive Right
Positive right is a permission to do something or an entitlement to a specific service or treatment, and that rights are called positive right.

iv. Negative Right
Negative rights are permission not to do things or entitlements to be left alone. For eg, United States Citizens have the positive right to vote and negative right not to vote; people can stay home and watch television instead if they desire; In Australia, however citizens have positive right to vote, but they don’t have negative right to not to vote, since non-voting citizens can be fined. 11

v. Human Right
Human Rights are the fundamentals to the stability and development of countries all around the world. With the advent of globalization and the introduction of new technology, their principles gain importance not only in protecting human being from the ill-effects of change but also ensuring that all are allowed a share of the benefits. Human rights have been divided into 3 categories;

1. First Generation rights which include civil and political rights.
2. Second Generation right such as economic, social and cultural rights.
3. Third Generation rights such as the right of self determination and the right to participate in the benefits from mankind’s common heritage. 12
4. Fundamental rights which humans have by the fact of being human, and which are neither created nor can be abrogated by any government supported by several international conventions and treaties such as united nations Universal Declaration of Human Right in 1948, these include cultural, economic and political rights, such as right to life, liberty, education and equality before law and right of association, belief, free speech, information, religion, movement and Nationality. Promulgation of rights is not binding on any country but they serve as a standard of concern for people and form the basis of modern national constitutions. The best known expression of human right is in the United States Declaration of rights in 1776which proclaims that “All men are by nature equally free and independent and have certain inherent natural rights of which when they enter a society they cannot be an compact deprive or divert their prosperity” called also fundamental rights. 13
III.4 Fundamental Rights in India

Fundamental Rights is a character of rights contained in constitution of Rights. This is the essential elements of the constitution and they were developed the constituent Assembly of India between 1947 and 1949. Part III of the constitution of India describes the Fundamental Rights offered to the Country’s citizen. Fundamental Rights are essential human rights that can be offered to every citizen irrespective of caste, race, and creed, place of birth, religion or gender. The constitution of India guarantees six Fundamental Rights to the citizens.

i. Right to Equality

It is first and foremost right guaranteed to the Articles 14, 15, 16, 17 and 18 of constitution.

ii. Right to Freedom

It is included in the Articles 19, 20, 21 and 22. Right to freedom includes freedom of speech and expression; assemble peacefully without arms, freedom to form associations and unions, freedom to move freely throughout the territory of India.

iii. Right against Exploitation

This right is given in the articles 23, 24, 25, 26, 27 and 28. The right also lays down the abolition of employment of children below the age of 14; Begar, practiced in the past by landlords, has been declared a crime and is punishable by law and Trafficking in humans for the purpose of slave trade or prostitution is also prohibited by law.

iv. Cultural & Educational Right

It is covered in the Article 29 & 30. As India is a country of many languages, religions and cultures. The constitution provides special measure to protect the rights of the minorities. It also issue guidelines for ensuring the security of the services of the teachers or other employees of the institution.

v. Right to Property

The constitution originally provided for the right to property under articles 19 & 31. The provisions relating to the right to property were changed number of times. The 44th Amendment of 1978 deleted the right to property from the list of fundamental rights. A new provision article 300-A was added to the constitution
which provided “no person shall be deprived his property save by authority of law”. Thus right to property is no longer a fundamental right though it is still a constitutional right.

vi. Right to constitutional Remedies

Right to constitutional remedies empowers the citizens to move a court of law in case of any denial of fundamental rights.

A right means those freedoms which are essential for personal good as well as the good of community. The rights guaranteed under the Constitution of India are fundamental as they have been incorporated into its citizens. Fundamental rights for Indians have also been aimed at overturning the inequalities of pre independence social practices.  

III.5 Information

Information is an important resource to solve problem, to take decision, education and to update our knowledge etc. As we know that information is required to achieve our goals and objectives. Therefore it is considered as a power resource as equal to other natural resources. In some cases it is more important than other resources. It has played significant role for the overall development of the societies since ancient time. Hence, information, as an important asset, has come up as the driver of all scientific, technological, social, economical and political activities. And information is also considered as a basic need of human beings. D.A. Kemp has recognized information as a basic need of human beings ranking after air, water, food and shelter.

Information is globally the fastest growing sector, which grows approximately at 5 percent per year as compared to the world economy growth of approximately 3 percent. There is growing tendency to access relevant and potential information with no time lost.  

So in present day the term Information is playing an important role in restructuring society. The word “Information” derived from Latin word “Informare” which means news, intelligence and the communication of facts.

When we are talking about Right to Information Act, it is necessary to understand what information is. Generally the common people are engaged in their day-to-day activities. They don’t know what is happening in the administrative level such as in
Grampanchayat at village level, Panchayat samiti at Tahasil Level, Zilha Parishad at District level, state government at state level and central government at center.

In a democracy like ours, people are supreme and not the government. Information helps to increase curiosity in democracy and its hidden administrative process. It is in these circumstances that every citizen of the country has a right to know what the government is doing and judge the performance of the government by getting information on each and every decision being taken by the government.

As per the Right to Information Act 2005, the legal definition of “Information” is incorporated in section 2(f) of the said act, which reads as under:
S.2(f) “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;

III.6 The Right to Information campaign in India

III.6.1 Mazdoor Kisan Shakti Sangathan, (MKSS), and the Name of Historical Struggle

The Right to Information campaign in India began with the Mazdoor Kisan Shakti Sangathan (MKSS) movement to bring in transparency in village. The name of the organization itself means the combined struggle. It is the powerful union of agricultural labour. The struggle of MKSS goes into the history of socio-economic agitations that forced the state to make a new law and offer a new right to the people. They have not asked for food or employment. Their demand was for information. It was not a petition but a demand that is the demand for minimum wages in rural India.

None might have expected that a small group people in 1987 in a remote village Dengungri were stepping towards a historical achievement, the Right to Information. A significant event took place in that Rajasthan’s village, which no one could estimate to possess immense potentiality to pave the way for this Right to Information. The three founding activists of MKSS chose a humble hut in a small and impoverished village Dengungri as their base to share the life and struggles of the rural poor. A former Indian Administrative Service officer Mrs. Aruna Roy (an activist in an NGO,
the Social Work and Research Centre, Tilonia), Mr. Shankar Singh (a resident of a village, who established a rural communication unit), and Mr. Nikhil Dey (a young man who abandoned his studies in the USA) in search for meaningful rural social activism started their mission in Dendungiri.

They were in fact leading a ‘Gandhi’ life in rural area for achieving the Gandhi’s goal of Gram Swarajya through the Right to Information. The hut was as simple as generally inhabited by the poor of the village with no electricity or running water, and they ate the same sparse food of thick coarse grain ROTIS as the working class villager. They had no vehicle, and used trucks and buses for transport.

The region, which they had chosen for their life and the work, was surrounded with the problems, which could be solved only by people's awareness followed by agitation. It was environmentally degraded and drought area. The landholdings were too small to be viable even if the rains came. There were few alternate sources of rural livelihood, and distress migration in the lean summer months was high. Government interventions mainly took the form of famine relief works, like construction of roads and tanks, with extremely high levels of corruption and extremely poor durability. Wages, even on government relief works, were low and payment too erratic to provide any real social security cover. Literacy levels were abysmally low, especially for women (1.4%) and even for men (26%). The average debt burden was colossal, at over 3,200 rupees per household.

Ghost entries in muster rolls were a sign of rampant corruption in the system, which prompted MKSS to demand official information recorded in government files. The movement soon spread across India. From very modest beginning in the villages of Rajasthan, the success of MKSS has been a source of inspiration for activists in India and throughout the world. It led to the genesis of a broader discourse on the Right to Information in India. The campaign by MKSS was not out of a sudden anger and temporary. It was sustained struggle.

III.6.2 Fight against Secrecy & Corruption in India
Almost every person talks about corruption. According to latest 2010 rankings by Transparency International, India is still listed with most corrupt nations. India has ranked 87th out of 178 countries. High score means that the country that the country is less corrupt.
Enforcing the accountability of the authorities has its roots in right to know. Every person who caste his or her vote should also expertise his or her mandate is working. Every political party interprets electoral verdict to their convenience and rule as they like saying that their acts had people's support. It is for the people to say whether they accept so and so policy or raise questions.

<table>
<thead>
<tr>
<th>Countries</th>
<th>Score</th>
<th>Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denmark</td>
<td>9.3</td>
<td>1</td>
</tr>
<tr>
<td>New Zealand</td>
<td>9.3</td>
<td>1</td>
</tr>
<tr>
<td>Singapore</td>
<td>9.3</td>
<td>1</td>
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<tr>
<td>Canada</td>
<td>8.9</td>
<td>6</td>
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<tr>
<td>Australia</td>
<td>8.7</td>
<td>8</td>
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<tr>
<td>Switzerland</td>
<td>8.7</td>
<td>8</td>
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<tr>
<td>Germany</td>
<td>7.9</td>
<td>15</td>
</tr>
<tr>
<td>Japan</td>
<td>7.8</td>
<td>17</td>
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<tr>
<td>U.K</td>
<td>7.6</td>
<td>20</td>
</tr>
<tr>
<td>U.S.A</td>
<td>7.1</td>
<td>22</td>
</tr>
<tr>
<td>France</td>
<td>6.8</td>
<td>25</td>
</tr>
<tr>
<td>U.A.E</td>
<td>6.3</td>
<td>28</td>
</tr>
<tr>
<td>S.A</td>
<td>4.5</td>
<td>54</td>
</tr>
<tr>
<td>Brazil</td>
<td>3.7</td>
<td>69</td>
</tr>
<tr>
<td>China</td>
<td>3.5</td>
<td>78</td>
</tr>
<tr>
<td>India</td>
<td>3.3</td>
<td>87</td>
</tr>
<tr>
<td>Sri Lanka</td>
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<tr>
<td>Argentina</td>
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<tr>
<td>Bangladesh</td>
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<tr>
<td>Pakistan</td>
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<tr>
<td>Nepal</td>
<td>2.2</td>
<td>146</td>
</tr>
<tr>
<td>Russia</td>
<td>2.1</td>
<td>154</td>
</tr>
<tr>
<td>Sonalia</td>
<td>1.1</td>
<td>178</td>
</tr>
</tbody>
</table>
The transparency will automatically limit the abuse of discretion, and thus acts as the check on the corruption in any regime. Most notorious scams, like distribution by the Union Minister for Petroleum, of Petrol pumps among the kith and kin instead of deserving unemployed youth. A similar selling of Government Accommodation in Delhi by another Union Minister is results of lack of free flow of information about availability of such resources to be availed by the people. Such scams can be avoided in various recruitments, admissions in Educational Institutions, by revealing the criterion for selection to people. Under general circumstances, the People have right to know the criminal background of those killed in encounter between official armed forces and other armed gangs. If the duty to disclose such information is imposed by law, it will act as check on state-violence and custodial violence. Information about public distribution system, availability of sugar in ration shops, housing schemes, employment schemes, availability of land pattas (Title deed for the house-plot issued by the Government) and related rights will enlighten the eligible youth to agitate for them, which naturally prevents the misuse and wrongful distribution. Similarly, the displaced people should know when the irrigation project would be completed and what the rehabilitation packages available to them are. The people have right to know the disastrous impact of contamination and environmental problems to avoid them or to prepare themselves for confronting them.  

At the political level, however, the importance of right to information was recognized much later. A need to have separate law for the right to information was recognized in the conference of chief ministers on “effective and responsive government” held in the year 1997.  

**III.6.3 Freedom of Information Bill, 2000**

The most significant milestone in the history of legislation of our country is the introduction of the Freedom of Information Bill. The Central Government, finally introduced the Freedom of Information Bill, 2000 in Parliament on July 25, 2000 which was approved by both houses of Parliament in Dec.2002 and promulgated as Freedom of Information Act, 2002. The defined objective was: it will enable the citizens to have an access to information on a statutory basis. With a view to further this objective, clause (3) of the proposed Bill specifies that subject to the provisions of this Act, every citizen shall have the right to freedom of information. Obligation is cast upon every public authority under clause (4) to provide information and to
maintain all records consistent with its operational requirements duly catalogued, indexed by the appropriate Government or the competent authority. As in our present democratic framework, free flow of information for the citizens and non-Government institutions suffers from several existing legal inadequacies, lack of infrastructure at the grass root levels and an attitude of secrecy within the Civil Service as a result of the old framework of rules. In the global context, it is important that the access to government-controlled information should also help to bridge the knowledge gap between the rulers and the ruled, the managers and the beneficiaries and between the producers, distributors and the consumers.

With the passing of this Act, India joined a miniscule group of 20 nations that had, at that moment, a Right to Information. Under this Act, any information which could be made available to members of Parliament and members of State Legislatures would also be accessible to the common citizen, but with a few exemptions. The most important exemptions in the Act, was the list of defence and security organizations tagged in the end that kept them out of the purview of the Act and exceptions which unfortunately seemed to be rather wide and indiscriminate as most of them had little nexus with the interest of the national security or public order. Even the States were given the option of adding their own security and police organizations to this list. It was an irony that while on one hand, the Act provided for giving information in 48 hours where the life and liberty of a person was concerned, on the other hand, it exempted those organizations from the purview of the law that were most often accused of illegally violating civil liberties and human rights, including the right to life. Another exemption clause, which proved quite restrictive, in a blanket way so to say, was the one allowing the "competent authority" to withhold any information on the ground that it interfered with the work of a government office or involved a disproportionate expenditure in collecting it.

Various Indian laws also provide for the right to access information in specific contexts. Section 76 of the Indian Evidence Act, 1872; the Factories Act, 1948: Section 25(6) of the Water (Prevention and Control of Pollution) Act, 1974; the Air (Prevention and Control of Pollution) Act, 1981; the Environment (Protection) Act, 1986; the Environment (Protection) Rules, 1986; and the Environmental Impact Assessment Regulations are few examples. Among States, Tamilnadu was the first state to introduce Right to Information in India by enacting Tamilnadu Right to
Information Act. 1997. Several more States joined in by enacting similar Acts- Goa (1997), Madhya Pradesh, Rajasthan (2000), Karnataka (2000). Delhi (2001), Maharashtra (2000 but as its implementation was very frustrating and ineffective it had to be replaced by the Maharashtra State Ordinance on September 23, 2002), Assam and Jammu & Kashmir. The principal objective of these enactments was to facilitate an accountable and transparent government. Information available indicates that implementation of these laws has been far from effective. In any case, the Right to Information Act, 2005 supersedes all these laws. It, through its section 31, also repeals the Freedom of Information Act, 2002.

The present UPA government, in their Common Minimum Programme, provided that the "Right to Information Act will be made more progressive, participatory and meaningful." This formed the basis of the subsequent Right to Information Bill, introduced in Parliament on December 22, 2004. However, this bill, as introduced in Parliament had many weaknesses. The consequent outrage from civil society groups forced the government to review the changes. The Bill was referred to a Standing Committee of the Parliament and to a Group of Ministers. In the next session of Parliament, the Bill was passed after over a hundred amendments introduced by the Government to accommodate the recommendations of the Parliamentary Committee and the Group of Ministers. Finally, it was enacted by Parliament and received the assent of the President on June 15, 2005 and promulgated throughout the country on October 13, 2005. This can be called the defining moment of Indian democracy whose Parliament caused the executive to launch a formal effort to make democratic governance participative in real sense. 26

III.6.4 The free flow of information in India remains severely restricted by three factors

a. The legislative framework includes several pieces of restrictive legislation, such as the Official Secrets Act, 1923;

b. The pervasive culture of secrecy and arrogance within the bureaucracy; and

c. The low levels of literacy and rights awareness amongst India's people.

The primary power of RTI is the fact that it empowers individual Citizens to requisition information. Hence without necessarily forming pressure groups or associations, it puts power directly into the hands of the foundation of democracy - the Citizen. 27
The inequality in knowledge is also responsible for social superiority and inferiority complexes reinforcing and perpetuating social and economic divides. These, in turn, create a political influence and advantage in favour of the possessors of the exclusive information, quite disproportionate to the value of the information. A distinct class of secret operators of power, with a halo of unwarranted mystique and awe around them, emerges, behaves, and operates as a superior race. Above all, strong will power is required. Only making the legislation will not do justice to the information seekers until it is implemented with strong conviction. The laws only cannot create a climate for democratic way of life.

III.7 Right to Information Act

The demand for Right to Information has taken the form of mass movement at the grass root level. A mass based organization called the Mazdoor Kisan Shakti Sangathan (MKSS) took an initiative to lead the people in a very backward region of Rajasthan. The most significant milestone in the history of legislation of our country is the introduction of the Freedom of Information Bill 2000 in the Lok Sabha on July 25 this year. The Act formally came into force on 12 October, 2005.

The main feature of Right to Information Act, 2005 is that it contains six chapters with thirty one sections two schedules and states have also framed Rules for implementation of the Right to Information Act, 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 constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto. Whereas the Constitution of India has established democratic Republic, and whereas democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed. And whereas revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information. And it is necessary to democratic ideal. Now, therefore, it is expedient to provide for furnishing certain information to citizens who desire to have it.
Be it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

Preliminary

1. Short title, extent and commencement-
   1) It extends to the whole of India except the State of Jammu and Kashmir.
   2) The provisions of sub-section (1) of section 4, sub-sections (1) and (2) of section 5, sections 12, 13, 15, 16, 24, 27 and 28 shall come into force at once, and the remaining provisions of this Act shall come into force on the one hundred and twentieth day of its enactment.

2. Definition- In this Act, unless the context otherwise requires-
   a) "Appropriate Government" means in relation to a public authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly;-
      i) by the Central Government or the Union territory administration, the Central Government;
      ii) by the State Government, the State Government.
   b) "Central Information Commission" means the Central Information Commission constituted under sub-section (1) of section 12;
   c) "Central Public Information Officer" means the Central Public Information Officer designated under sub-section (1) and includes a Central Assistant Public Information Officer designated as such under sub-section (2) of section 5;
   d) "Chief Information Commissioner" and "Information Commissioner" mean the Chief Information Commissioner and Information Commissioner appointed under sub-section (3) of section 12;
   e) "competent authority" means;-
      i) the Speaker in the case of the House of the People or the Legislative Assembly of a State or a Union territory having such Assembly and the Chairman in the case of the Council of States or Legislative Council of a State;
      ii) the Chief Justice of India in the case of the Supreme Court;
      iii) the Chief Justice of the High Court in the case of a High Court;
iv) the President or the Governor, as the case may be, in the case of other authorities established or constituted by or under the Constitution;

v) the administrator appointed under article 239 of the Constitution;

f) "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;

g) "Prescribed" means prescribed by rules made under this Act by the appropriate Government or the competent authority, as the case may be;

h) "Public authority" means any authority or body or institution of self-government established or constituted:-
   a) by or under the Constitution;
   b) by any other law made by Parliament;
   c) by any other law made by State Legislature; by notification issued or order made by the appropriate Government,

and includes any:-
   i. body owned, controlled or substantially financed;
   ii. non-Government organization substantially financed, directly or indirectly by funds provided by the appropriate Government;

i) "Record" includes:-
   a) any document, manuscript and file;
   b) any microfilm, microfiche and facsimile copy of a document;
   c) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
   d) any other material produced by a computer or any other device;

j) "Right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to,
   i) inspection of work, documents, records;
   ii) taking notes, extracts or certified copies of documents or records;
Right to information and obligations of public authorities

3. **Right to Information.**- Subject to the provisions of this Act, all citizen shall have the right to information.

4. **Obligations of public authority**

1) Every public authority shall;-

   a) maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated;

   b) Publish within one hundred and twenty days from the enactment of this Act;-

      i) The particulars of its organization, functions and duties;

      ii) the powers and duties of its officers and employees;

      iii) the procedure followed in the decision making process,
including channels of supervision and accountability;

iv) the norms set by it for the discharge of its functions;

v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;

vi) a statement of the categories of documents that are held by it or under its control;

vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;

viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;

ix) a directory of its officers and employees;

x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;

xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

xiii) particulars of recipients of concessions, permits or authorizations granted by it;

xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
xvi) the names, designations and other particulars of the Public Information Officers;

xvii) such other information as may be prescribed and thereafter update these publications every year;

c) Publish all relevant facts while formulating important policies or announcing the decisions which affect public;

d) Provide reasons for its administrative or quasi-judicial decisions to affected persons.

2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

3) For the purposes of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.

4) All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Central Public Information Officer or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribed.

Explanation:- For the purposes of sub-sections (3) and (4), "disseminated" means making known or communicated the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.

5. Designation of Public Information Officer-

1) Every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as the Central Public Information Officers or State Public Information Officers, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.