

Review Article

Empowerment of Common Masses through Information Regime

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Abstract

The Right to information Act of India, which came into force on 12th October 2005 is acknowledged as a landmark legislation and a high watermark in the evolution of Indian democracy. RTI is the outcome of series of judgements of Supreme Court of India, actions by civil society institutions and a growing discomfort within the government about excessive control over information by public authorities. The enactment of the Right to Information Act, 2005 is a historic event in the annals of democracy in India. Information is power and now a citizen has the right to access information "held by or under control of" the public authorities. Concurrently, it is the duty of all public authorities to provide information sought by citizens. After the enactment of RTI Act, 2005 if a simple question is asked whether people empowerment had become or not then the answer will be in yes. It is the public who have to empower themselves, no public authority is going to empower the common masses. The public can be empowered by demanding more and more information's.

This paper is in establishing the synergy between the Right to Information and Peoples Empowerment.

Keywords RTI; Public Authority; Democracy; Common Masses; Empowerment

Introduction

The Government of India enacted Right to Information Act, 2005. The Act is to provide for freedom to every citizen to secure access to information under the control of the every public authority, in order to promote transparency, accountability and efficiency in the working of public authorities. Much of the common people's distress and helplessness is traceable to lack of access of information and lack of knowledge of decision making process. The task of development administration will become easier if steps are taken to make information available as a matter of right to the citizens.

The Need for the Right to Information

The main thrust of the movement for the right to information in India has seen this right as being closely related to survival. Food security, shelter, environment and employment are all bound up with the right to information. In the absence of information on these issues, people remain marginalized and excluded from their rightful place in society. It is for this reason that in India, the movement for right to information has been as vibrant in the hearts of marginalized people as it is on the pages of academic journals and in media coverage. The result of secrecy has been disempowerment of common people and their exclusion from processes which vitally affect their existence. Information on matters such as employment schemes, obtaining certificates for

various purposes, and recommendations for different types of loans, access to different poverty alleviation programs, irrigation, drinking water, sanitation and education is a must for ordinary people, whether provided proactively or on request. In recent years, the historic lack of information on these and other matters has been mitigated by factors such as the growth of democratic values, the 'information revolution' and the decentralization of governance through the Gram Panchayats (village elected bodies), which are responsible for all of the issues noted in the preceding paragraph. However, although political power has been decentralized, the problem of gaining access to information remains at the level of local officials, who are often reluctant to be open because they represent vested interests or are party to corruption and misappropriation of funds.

Need of the Sensitization of Government Schemes

Food, shelter, livelihood and education, the most important aspects of a person's life, are provided in most rural areas through numerous 'schemes' run by the central or State government. Food, for example, is distributed through the notoriously corrupt 'Public Distribution System' – a network of 'ration shops' which distribute subsidized grains and other essentials. Stock registers are poorly maintained and are not available for inspection by the public. Corrupt practices include the replacement of grains with poor quality stocks or even non-distribution on the pretext of 'unavailability'.

There are also schemes for providing housing, [1] employment [2] and education [3]. Funds for these schemes are routed through the network of bureaucrats from the central or the state government down to the village. Although meant for the poorest of the poor in the rural areas, these funds have been routinely misappropriated and/or misused on a scale which, even on a rough calculation, would amount to many times that of the better-known large-scale corruption scandals. In most cases, people do not know about the existence of these schemes, or at least salient details, such as their entitlements under the scheme, paving the way for them to be tricked into accepting less than their allocation through forgery. Furthermore, records are often tampered with, a relatively simple practice because no one outside the tight-knit governmental circle has access to them. For example, many records list fictitious beneficiaries of the schemes.

Land and lack of information about land entitlements and records is a major problem, especially since nearly two-thirds of the population

are dependent on agriculture. A regular complaint with rural people is the inability to access their own land records. To get a copy of their *patta* [4] is difficult. Not only are there delays and repeated time-consuming visits to various offices, but they also routinely have to pay bribes to the *patwari*, the *tehsildar* or the Block Development Officer (BDO) [5]. Lack of access to land records and knowledge about land laws have led to frequent instances of 'land grabbing' by powerful people. Here again, a common problem is the manipulation of records, especially where the beneficiary is a widow or an indigenous person. Health schemes are rarely advertised sufficiently to enable people to benefit from them. The anti-polio campaign is a case in point. The polio immunization program has received large amounts of government and international funding and yet many people are left out, due to ignorance about the scheme. This is compounded by an inability to monitor whether or not the vaccines have been administered properly, in part because information is not publicly available. In one incident in Uttar Pradesh, an epidemic of Japanese encephalitis broke out. Local health organizations were told that the preventive vaccine was not being manufactured at the responsible institute whereas in fact the government had simply failed to requisition the medicine. This only came to light long after the epidemic had broken out [6]. Consumer information is another area where it is important to have proactive dissemination of information, and consumer groups are fighting for stricter labelling laws on domestic as well as foreign products, especially food and medicines. Mandatory labelling of non-vegetarian products has recently been approved by the government under the Prevention of Food Adulteration Act [7].

Constitutional Guarantees

The recognition of the right to information is being included in the constitutional guarantees of freedom of speech and expression finds its genesis in Supreme Court decisions challenging governmental control over newsprint and bans on the distribution of newspapers. In a landmark case [8] the petitioners, publishers of one of the leading national dailies challenged restrictions in the Newsprint Control Order on the acquisition, sale and use of newsprint. The Supreme Court struck down the restrictions on the basis that they interfered with the petitioners' right to publish and circulate their paper freely, which was included in their right to freedom of speech and expression. The judges remarked: It is indisputable that by freedom of the press is meant the right of all citizens to speak, publish and express their views.

Freedom of speech and expression includes within its compass the right of all citizens to read and be informed. The dissenting judgment of Justice K.K. Mathew emphasized two aspects of freedom of speech and the individual interest in expressing oneself and the social interest in the attainment of truth. Regarding the latter, Mathew noted:

"Now in the method of political government the point of ultimate interest is not in the words of the speakers but in the hearts of the hearers" [9].

In a subsequent case, the Supreme Court held that media controlled by public bodies were required to allow both sides of an issue to be aired. Mr. Shah, the director of a non-governmental consumer rights organization, wrote a paper highlighting discriminatory practices by the Life Insurance Corporation, a government-controlled body. The Corporation published a critique of this paper in its institutional publication but refused to publish Mr. Shah's rejoinder. The Court held that a State instrumentality having monopolistic control over any publication is under an obligation to publish views contesting those it had presented [10]. The principle that the public have a right to receive information was even more clearly enunciated a few years later when the Court stated:

The basic purpose of freedom of speech and expression is that all members should be able to form their beliefs and communicate them freely to others. In sum, the fundamental principle involved here is the people's right to know [11].

In the area of civil liberties, the courts have tried to ensure a transparent criminal justice system, free from arbitrariness. The Supreme Court has specifically detailed all the information which must be recorded and provided to the accused or his or her family in order to achieve this objective. Listing the procedural safeguards for arrest and custody, the Supreme Court said, "Transparency of action and accountability perhaps are the two possible safeguards which this Court must insist upon" [12]. Furthermore, in *Prabha Dutt v. Union of India* [13] the Court held that there could be no reason for refusing permission to the media to interview prisoners on death row, unless there was clear evidence that the prisoners had refused to be interviewed. Thus, the right to acquire information includes the right to access sources of information.

The linkage between the right to life and liberty, guaranteed by Article 21 of the Constitution, and the right to know was clearly affirmed in another case by Justice Mukharji, who stated: *We must remember that the people at large have a right to know in order to take part in a participatory development in the industrial life*

and democracy. Right to know is a basic right to which citizens of a country aspire under Article 21 of our Constitution [14].

The right to access official information was further developed in a case where the respondent sought access to documents pertaining to the security arrangements, and the expenses thereof, of the Prime Minister. The Prime Minister claimed the right to decide whether disclosure of certain privileged documents was in the public interest or not. The Supreme Court noted:

'While there are overwhelming arguments for giving to the executive the power to determine what matters may prejudice public security, those arguments give no sanction to giving the executive exclusive power to determine what matters may prejudice the public interest. Once considerations of national security are left out there are few matters of public interest which cannot be safely discussed in public' [15].

The right to know has been reaffirmed in the context of environmental issues which have an impact upon people's very survival. Several High Court decisions have upheld the right of citizens' groups to access information where an environmental issue was concerned. For example, in different cases the right to inspect copies of applications for building permissions and the accompanying plans [16], and the right to have full information about the municipality's sanitation programme [17] have been affirmed. The overall impact of these decisions has been to establish clearly that the right to freedom of information, or the public's right to know, is embedded in the fundamental rights provisions of the Constitution. This position has been relied upon not only by independent advocates of the right, but also by official committees, as well as in the Objects and Reasons of the Bill on Freedom of Information, 2000.

Movement for Transparency

Most importantly, the Right to information has been made possible by continuous struggles, efforts and movement of many activists' and citizens' groups'. The Mazdoor Kissan Shakti Sangthan (MKSS), movement led by Aruna Roy, in May 1990 in a very backward region of Rajasthan's Bhim Tehsil, to assert their Right to information by asking for copies of bills and vouchers and names of persons who have been paid wages mentioned in muster- rolls on the construction of school, dispensaries, small dams and community centers. It spread quickly to other areas of Rajasthan and to other States. The attempts of Harsh Mandar the Divisional Commissioner of Bilaspur,

Madhya Pradesh in 1996 to throw open the registers of Employment Exchanges and the records of Public Distribution System to the citizens or the agitation led by Anna Hazare in Maharashtra in 2001 are some the examples. Consequently, the National Campaign for People's Right to Information (NCPRI), which became a broad-based platform for action, was formed in the late 1990s. As the campaign gathered momentum, it became clear that the Right to Information has to be made legally enforceable. Thus, it is amply clear that the movement for the right to information gained momentum after this right was recognized by several international documents. However, it took almost sixty years for full length legislation on the right to information to come into being. With the efforts of public spirited citizens who began a crusade against the attitude of secrecy of the government this golden piece of legislation saw the light of the day. It also needs to be mentioned here that the sensitized judiciary stood for the right to information time and again and finally the legislature first enacted the *Freedom of Information Act, 2002* and thereafter the *Right to Information Act, 2005*.

Empowerment of Democracy and Governance through RTI

RTI promotes transparency in the governance process; it ensures accountability of the government to the public. Now public is more aware, although literacy rates are still very low and people are unable to understand what actually law is but then also those people who are literate and who know what this law is made for are using this law and also using their right to seek information for those who do not know how to use or how to get information from the public officials which they are willing to get. RTI is the finest piece of legislation which proves that law has a greater impact on building the society. RTI is building up a better society, a better democratic nation where government is run by its people. It helps in making of such a democratic nation where there is no existence of any democratic king, a king which is chosen by us but is not answerable to his citizens. The whole scenario has now changed after the enactment of RTI. Before this act there was also an act which was known as "The Official Secrets Act" and it saved the government and bureaucrats because of the deficiency in this law and hence India was deprived of what she has to be given. Pundit Jawaharlal Nehru once said, "*The constitution is after all some kind of a legal body given in the ways of Governments and life of people. A constitution, if it is out of touch with people's life, aims and aspirations becomes rather empty; if it falls behind those aims, it drags the people down. It should be something*

ahead to keep the peoples' eyes and minds up to a certain mark." Thus in a democratic nation like ours it is very important to participate in the governance and this could be done only by questioning about what and how government is working for us? How are we governed? How effective the policies are for us? What are the expenses? And all these came true due to the enactment of RTI, because it enables us to ask freely. RTI Act is powerful tool for ordinary citizens to try to overcome bureaucratic stonewalling and corrupt practices. Now after the 8 years of enactment there are millions of inquiries were made on the governance and even on the very petty things and public authorities are bound to follow. Nominal amount is charged hardly from 10 rupees-20 rupees and is free for the people who are below poverty line. It was RTI only through which India was able to find out the big scams which amounts in billions of dollars. Individual is free to ask and based on that he is free to act. By using RTI people can know about the services provided to them by the government, various policies of the government and thus give a chance to have a better understanding and a better overview of the functioning of the government based on which a person is able to utilize those services and policies in very better ways and are also able to decide whether to choose the same government or not based on the performances. All these become possible because of the RTI Act although people do not do the same but yes if once people start analyzing the government on the basis of its policies, functioning and governance which can only be evaluated properly with the help of RTI, that day is not very far when everyone will directly or indirectly effect the governance, and that day the dream of true democratization will come true.

RTI is not just the piece of legislation but also an important aspect of our society because this only act is sufficient to bring big social changes which everyone is seeking for. Although it is just to seek information but it is actually far away from that, it is not only for seeking information but actually a weapon in the hands of people to crusade various challenges and problems prevailed in the society. As per the cartoons by R.K Laxman, he clearly showed the power of citizens and also a hope in his cartoon. In his cartoon he portrayed RTI as weapon in the hand of people against the corruption and poor governance. In this act we can also find the glimpses of the dreams of Mahatma Gandhi who dreamed of active participation of each and every citizens and this act is able to bring real *Swaraj* in the society.

RTI brought various changes in the society which is not clearly visible in the society but its impact can be felt very strongly. There is a threat in the minds of

bureaucrats, politicians and whosoever is related to governance in any way. By this act not only the corruption can be crusaded but also big changes can be brought like poverty, overpopulation, unemployment can be eliminated because although these problems are more of social problems than legal, but such problems are the result of poor quality of governance and hence once the problem of poor governance is eliminated any nation will be able to fight with each and every problem later or sooner, because governance regulates the society and decides up to where and till what extent any society can rise.

RTI and Attitude of Government

RTI proved a threat to the government and forced them to behave like a servant. RTI completely changed the attitude of government towards the people. The Official Secrets Act helped them a lot in exploiting the citizens. Every kind of information was put under the secrets and anyone who was trying to disclose this information was put behind the bars. It was known as the "Black Law" and was practiced till 2005. Bureaucracy and government made a lot of money by not disclosing the information and they let India in the hands of corruption and monopoly of "Democratic King". But by the enactment of RTI every public official and anyone who is linked with the government was forced to keep the records of everything, even the record of investment of single rupee.

Government often comes with an argument that India is a developing country and it does not have enough resources to process so many information requests. On this Arvind kejriwal gave an example about an office in USA, where 3 million RTI applications were filed and the USA government spend 30 million dollar to process those request because they believe in bringing transparency in the system, and once you are clear with your motive then resources are to come anyhow.

Within ten years of its enactment, there was a boom in the applications regarding information's from the government. The bureaucrat is now to consider himself not merely a powerful custodian of vital information, but a trustee. In a government committed to transparency, the civil servant becomes accountable for what he writes and how he performs his duties. He is required to be more responsive to the needs of his masters, and masters are the common people. RTI makes them realise that they are not the boss; they are actually servants working for "we the people". Within the 8 years of its enactment millions of applications were filed for the information in

Municipal Corporations, Finance Departments, Home ministry etc. And people came to know what the true colour of their government is.

Impact of RTI on Development [18]

The challenge of development is to improve the quality of life, which calls for increasing people's options for higher earnings, better education and health care, a cleaner environment and a richer cultural life. The record of long-term performance show that while there has been steady progress in improvement of the major indicators of development, the achievements fall far short of our expectations. At least, one third of our people suffer from all forms of deprivations, such as, inadequate livelihood support, lack of basis education and health care. Of the various factors attributable to slow progress, lack of effective mechanisms for sharing information and knowledge and people's participation in governance of development projects, is chiefly responsible. Since people's participation in decision making process is essence of democracy, they have the right to access information held by the public bodies.

In this backdrop, rights-based approach to development has proved to be very effective in realizing socio-economic goals, as this approach provides legal guarantee for realizing entitlements and promoting empowerment of people. And, the implementation of RTI provides a framework for promoting Citizen-Government participation in development process [19].

People can access information held by the Government to develop an understanding as to how they are affected or how can they benefit from the programs? While the Government has obligations to function in an open and transparent manner, people have right to observe and scrutinize decision making process, which forms the basis for seeking accountability of the Government. Of late, there has been massive use of right to know by the citizens, including the poor, who have sought to empower themselves with the new ideas, information and knowledge for changing the way they live in. The issue therefore is whether the use of RTI has helped in improving accountability of Government, resulting in realization of entitlements of poor, through effective delivery of services. RTI and has its linkages with the factors that affect the welfare of people.

Scheme Related to Poverty Alleviation [20]

RTI is used as a tool for facilitating effective delivery of socio-economic services. RTI empowers people to

seek details about their entitlements and, accordingly, to take informed decisions in all matters affecting them so as to secure equity and justice.

Recognizing the significance of right to know for ensuring free flow of information and good governance, the RTI Act exempts the poor from payment of fees of Rs.10/- for seeking information. And, the information is to be furnished within the stipulated period of thirty days, failing which penalty may be imposed.

An estimate reveals that at least 20 per cent of the information seekers are those who belong to BPL category. In rural areas, this share is as high as 37% of the total applicants. They have, in general, sought to know the details of services assured to them and the reasons as to why the services meant for them are not reaching them. In the RTI regime, the poor persons armed with information through the exercise of right to know, are getting increasingly involved in designing and implementation of poverty alleviation programmes, as discussed below

Guarantee of Income and Food Security [21]

The Governments the Centre and States have launched from time to time a number of schemes for providing wage employment to the poor, the benefits of which have hardly reached them due to ineffective implementation of programs, including rampant corruption. In the absence of right to information, it was not possible to create conditions for accountability of public servants or authorities, which resulted in both perpetuation of poverty and unproductive use of resources that were allocated for eradication of poverty. In this backdrop, the adoption of rights-based approach is significant to weed out corruption and to guarantee the reach of entitlements of poor persons.

Accordingly, almost all the poverty alleviation programs are designed such that a citizen can observe and scrutinize the public activities with a view to providing critical feedback for shaping the policies and programs that would assure optimum gains to society, particularly the poor. In this context, a mention may be made of the following schemes:

Implementation of MGNREGA [22]

With a view to providing work opportunity on demand for at least 100 days in a year and to secure livelihood of people in rural areas, MNREGA has been implemented. The right to work has thus been legally guaranteed and the manner in which entitlement for employment is to be claimed has been

clearly articulated. Rural poor have been effectively participating in the program for not only just to secure income security but also to build rural infrastructure, which is critical for raising productivity in the future. The development of rural infrastructure under the scheme would surely enhance productivity of various activities and augment further opportunities for employment and income.

The RTI has thus proved very effective in providing grounds for initiating remedial actions with a view to realizing the objectives of public policies. For urban poor, Jawaharlal Nehru Urban Renewal Mission (JNNURM) has been launched to provide basic services, namely, water supply and sanitation, transport, education, health care, etc. Through RTI, citizens ensure effective delivery of services in a time bound manner, which has desirable impact on poverty reduction and quality of life in urban areas.

Mid-Day Meals to School Children

As a measure of food security, all the school children are provided with mid-day meals in schools, which not only help in reducing nutritional deficiency among the poverty stricken children but also enhance their learning attainments due to adequate intake of balanced diets. All the stakeholders, mainly the students, teachers and parents, are able to observe and monitor the service delivery system. Since there has to be almost total openness in operationalization of the scheme, people have access to relevant information, which they utilize for improving effectiveness of the scheme. This, in turn, assists in reducing both food poverty as well as dropouts, which have been rampant among the children from poor families. In effect, the scheme improves physical health and learning abilities of children.

Integrated Child Development Scheme (ICDS) [23]

One of the components of this scheme is to provide nutritional support to children from poor families. The use of RTI by the target group, including the NGOs, has ensured effective implementation of the scheme to the advantage of the poor children.

Grant of Food Security and Pension for the Poor Senior Citizens

With a view to providing income and human security to the poor and destitute, financial assistance to families with low means of subsistence is provided to all poor persons, above 60 years. The grant of pension of Rs.500/- per month has been

universalized. Moreover, the destitute are entitled for 10 Kgs of food grains per month free of cost. Those who could not claim for their entitlements of pensions or free food grains, for different reasons, are able to do so through the use of RTI. There are umpteen numbers of instances which demonstrate that the people are accessing the above benefits that have been assured by the Government. The issue of livelihood being important as it affects life and liberty of people, information is furnished within 48 hrs as per the provisions of the Act.

Since these schemes, namely, ICDS, mid-day meals, NREGS and old age pension cover the entire target population, and the Government is committed to implement these schemes and is actually doing so, there is no reason why the food poverty cannot be annihilated over night. The RTI encourages everyone to ask the Government to explain as to why assured benefits are not reaching them. And, by asking this, grievances are redressed under the auspices of the Information Commission.

Delivery of Services under Subsidized Schemes

The Governments have launched a number of schemes which make essential services available to the poor at low rates. Under the schemes, such items as food grains, kerosene, sugar, etc., are provided to the poor in order to alleviate costs burden on them. Besides, subsidy is provided for housing, education and health services.

Public Distribution System (PDS) [24]

The implementation of schemes like Public Distribution System (PDS) has, till recently, been adversely affected by unacceptably poor quality of governance at all levels of execution of the scheme, resulting in leakages and siphoning of materials to non-poor. The issue of how to improve the quality of governance at all levels of public administration to curb leakages and plug loop holes has never been effectively addressed. However, under the RTI regime, which seeks transparency and accountability of public bodies, the quality of governance has begun to improve. As a result, the services meant for the poor are reaching them since the beneficiaries are using RTI to seek such details as the stock of supplies and distribution, rate lists, list of beneficiaries—the disclosure of which ensures weeding out of fictitious names. It has thus been possible to curb corruption and plug loopholes in the PDS, which, in effect, has improved the delivery of services and, thus, reduced incidence of poverty also.

Shelter for the Poor

Housing is recognized as one of the human rights since a shelter is essential asset that improves physical and mental well-being of people. Accordingly, under *Indira Awaas Yojna [25]* (IAY), financial support is provided to the rural poor for construction of houses as per their choice of design and requirement. The scheme is fully participatory between the Government and beneficiaries as per the guidelines which are in public domain. The identified beneficiaries, having known of their entitlements, are able to create effective demand for release of funds, for construction of houses. The instrument of RTI has helped in maintaining total transparency in operationalization of the scheme, which, in effect, minimize corruption and improve satisfaction level of target groups.

Human Capital: Education and Health Care

Education and health care are critical services for empowerment of people, in general, and the poor, in particular. In the knowledge economy, which is driven by new ideas and technologies, it is not possible to function and expedite the process of national development without enhancing the technical and professional competence of the entire manpower. The share of educated and vocationally trained labour force in the total manpower is one of the lowest, below 5% for the country, as compared to other countries, having a corresponding share of 60 to 80%, with which India has to compete in the global market.

The implementation of relevant policies and programs in the past has yielded less than desired results due mainly to lack of people's participation in delivery of services that empower the poor. The use of RTI has contributed to improvements in quality and quantity of services under the following flagship programs.

Sarva Shiksha Abhiyan [26]

Under this scheme, the Governments have committed to provide minimum school infrastructure for universalization of elementary education. In the absence of any question asked by the major stakeholders, mainly students or parents, quality of education was compromised and there was no check on drop-out or teachers' absenteeism. But, under the provisions of the RTI, the citizens have raised issues pertaining to management of the schools, mainly the availability of infrastructure support, teachers' attendance, students' enrolment and performance, implementation of mid-day schemes, utilization of funds and process of recruitment of teachers.

The Government has been providing financial assistance, including scholarships to the students from deprived groups, mainly women, SC and ST, minorities and physically challenged persons. Through the use of RTI, the target groups are able to claim for their entitlements, which was, however, not possible before the implementation of the Act. The participation of deprived groups in the educational processes has thus been encouraged. In effect, thus, there are signs of improvement in the schools' performance since the parents and the civil society have asked the school authorities to provide explanations in respect of all those activities, which are contrary to the accepted policies, norms and guidelines and people's expectations. In the areas of technical and vocational education, including higher education, the governments have articulated plans for expansion of facilities and improvement of quality of teaching and research. Through the use of RTI, the progresses made are monitored by the information seekers, who have raised issues and sought for details relating to the expenditures on various educational activities, namely, admissions and recruitment processes, conduct of examinations including disclosure of answer sheets. The involvement of students and teachers have thus exposed the extent to which relevant policies, norms and guidelines are followed, which, in effect, have been helpful in improving both internal and external efficiency of education system.

National Rural Health Mission [27]

Healthcare services have largely remained on paper due to lack of accountability of staff. Using the tool of RTI, the citizens have sought for details of primary health services. The disclosure of such details as stock of medicines and its distribution, procedure for procurement of medicines, attendance of medical staff and number of patients treated, etc., has resulted in better management of primary health centres. Thus, in pursuance of the goal of the Mission, access to primary health care has significantly improved, which is due to the use of RTI by the poor, who are ultimate beneficiaries of the rural health policy.

The people's pressure on improvement in health services in urban areas is even more pronounced as the Government hospitals as well as private hospitals have, of late, become somewhat more responsive to the needs of common man, who are duly aware of their human rights than those in rural areas. The RTI has thus created effective demand for improvement in quality of services provided by the hospitals.

Aam Admi Insurance Scheme [28]

Under the insurance scheme and family benefit scheme, the Government provides financial support to the specified groups of the poor families. Whenever there is perceived laxity or delay in extending the benefits to the beneficiaries, the implementation agencies have been called upon to explain the reason for delay or denial of assistance to the poor, failing which penal action are initiated against the responsible persons.

Basic Economic Infrastructure

An informed citizenry, armed with information obtained under the provisions of Act, have not only been promoting participatory governance but also putting considerable pressure on the Government for effective implementation of flagship programs like *Bharat Nirman [29]*. This program seeks to provide critical infrastructure like rural roads, electricity, water and sanitation for rural population. It is expected that the partnership between citizen and the Government would help create solid infrastructure, which, in turn, would create conducive conditions for improving quality of life. Over two hundred fifty public enterprises under the Central Sector have been engaged in development of infrastructure as well as various utility services in the areas of transport and communication, banking and insurance services, power, etc. Issues relating to efficient management of such enterprises have been raised to seek accountability in terms of the stated objectives. These include disclosure of details pertaining to costs and pricing policies, use of resources, choice of technologies, competition strategy, fairness and objectivity in finalization of tenders, recruitment and promotion of staff. An informed and enlightened citizenry has been able to create conditions for good governance through openness in functioning of public enterprises. In this regard, the following specific nature of cases may be mentioned:

- (i) Manipulations in tendering processes or outsourcing of various services have been major source of corruption or diversion of funds for private purposes. Scrutiny of the decision making processes have discouraged the Government companies from their indulgence in corrupt practices.
- (ii) The process of selection and award of retail outlets and domestic gas agencies, having been, of late, in public domain has not only checked malpractices in the selection process but also controlled black-marketing of subsidized

services, namely, petrol, kerosene and cooking gas.

- (iii) People have sought to know the adherence of environmental norms by the manufacturing companies for checking water and air pollutions, maintenance of ecological balance, etc., resulting in desirable impact on sustainability of environment. A large number of public enterprises under the States' sector have similarly been called upon to improve their performance and show results in terms of their accepted corporate social responsibilities.

Empowerment of Weaker Sections

The development initiatives have duly laid emphasis on protection of vulnerable sections of the society, mainly women, SC and ST, minorities and disabled persons. In almost every policy and scheme for promotion of welfare and empowerment of deprived groups, there are relevant components that assure the reach of specified benefits through the policy of preferential treatments and positive discrimination. Having known the entitlements for reservations in employment and admissions in educational institutions, scholarships, old age pensions, health insurance, etc., the citizens have begun to effectively realize the entitlements through the use of RTI. The deficiencies in implementation of policies, if any, have also been raised, which provide necessary feedback for formulating sound policies for empowerment of weaker sections. There are umpteen numbers of cases pertaining to human rights issues that have been raised by the affected persons and groups, who seek accountability of service providers and the concerned departments.

Conclusion

In the year 2006 there was a need felt of amendment in RTI although it was withdrawn later on when the then PM said that RTI should not impede administration. He was clear in his views that RTI should not be used for political purposes but for better governance so that the basic problems like corruption and ill-governance can be curbed. Politicians use the RTI for the political purposes to use it against each other; it should not be done because RTI should be used for fair means not for political means. Various cases are in news regarding the murder cases of various RTI activists, and this is actually a threat to the democracy, right to life of a person is infringed due to politicization in RTI. It created a kind of fear in

the minds of people and hence from time to time there was a demand of such a set of law under the RTI Act itself so that the RTI activists could be live freely without fear of losing their life and they can help in empowering the spirit of democracy. In the year 2012, an RTI activist named Shehla Masood [30] was brutally killed in Bhopal because she was one of the best RTI activists in M.P. and was very active as an activist. Till now CBI is unable to find out the actual reason that why was she killed. Similarly there are number of cases of murder of RTI activists.

Arvind Kejriwal the well known RTI activist [31] and who is considered as the father of RTI activism in India on the "*Swadeshi Jagran manch*" in Jaipur, Rajasthan said that corruption can be brought into light by using RTI, thus the job of RTI is done after providing information, but the basic problem lies within the further procedure, complain which is made against corruption on the basis of information provided by RTI is remained unheard, no further actions are taken by police, or by vigilance. Here comes the role of politicians, that how politicians suppress the case against them by misusing their power. So the problem lies within the proper implementation and the governance. Until and unless there is existence of improper governance no law can be implemented properly. In his speech, Arvind Kejriwal laid emphasis on the proper implementation of laws, and a real democratic state in which every citizen is to be heard and every decision to be made after consultant with general public as it was happened in our ancient India and as it is practiced in various developed countries." Right to information is as critical for the existence of democracy as a parliament in a parliamentary democracy". Thus Right to know, as a tool to access public held information, has significant bearing on good governance, development and the implementation of flagship programs for alleviation of poverty. India's economy in the last three years has grown at unprecedented high rate of about 8 per cent per annum, which also coincides with RTI induced good governance. This is unprecedented in India's history of development. A common man, like an elected Member of Parliament (MP), is empowered to seek accountability of the Government in terms accepted policies and approved budgetary expenditures. The Central and the State Information Commissions have played a critical role in enforcing the provisions of the Act as well as educating the information seekers and providers. Without their statutory interventions, including use of penal provisions against the public authorities, the benefits of RTI could not have reaped by the citizens and the society. The implementation of the law on right to know for setting up information

regime, therefore, augurs well for strengthening the knowledge society as well as for increasing the accountability of public bodies. The trend in improvement in delivery of services, due to the perceived good governance, provides sufficient indication for alleviation of poverty, good health and liquidation of illiteracy in a much shorter duration than envisaged for the realization of Millennium Development Goals (MDGs) [32].

RTI has enabled people to participate in the process of development, which has resulted in reduction of corruption and establishing an open and participatory governance system. In effect, RTI protects and promotes the socio-economic interests of every citizen, particularly the poor, who are receiving the benefits of development as per their entitlements.

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2. The "Jawahar Rozgaar Yojana" Jawahar Rozgar Yojna was launched on April 1, 1989 by merging *National Rural Employment Program (NREP)* and *Rural Landless Employment Guarantee Program (RLEGP)*.
3. Such as the "Padho Badho" scheme in Madhya Pradesh.
4. Title document showing lease of land from the government.
5. Village level revenue administrative officers.
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 21. *ibid*
 22. The National Rural Employment Guarantee Act 2005 was later renamed as the "Mahatma Gandhi National Rural Employment Guarantee Act" (or, MGNREGA), is an Indian labour law and social security measure that aims to guarantee the 'right to work'. It aims to ensure livelihood security in rural areas by providing at least 100 days of wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work. Starting from 200 districts on 2 February 2006, the NREGA covered all the districts of India from 1 April 2008.
- The statute is hailed by the government as "the largest and most ambitious social security and public works programme in the world". In its World Development Report 2014, the World Bank termed it a "stellar example of rural development". The MGNREGA was initiated with the objective of "enhancing livelihood security in rural areas by providing at least 100 days of guaranteed wage employment in a financial year, to every household whose adult members volunteer to do unskilled manual work". Another aim of MGNREGA is to create durable assets (such as roads, canals, ponds, wells). Employment is to be provided within 5 km of an applicant's residence, and minimum wages are to be paid. If work is not provided within 15 days of applying, applicants are entitled to an unemployment allowance. Thus, employment under MGNREGA is a legal entitlement.
23. Integrated Child Development Services (ICDS) Government of India sponsored programme, is India's primary social welfare scheme to tackle malnutrition and health problems in children below 6 years of age and their mothers. The main beneficiaries of the programme were aimed to be the children below 6 years of age, pregnant and lactating mothers, and adolescent girls. The gender promotion of the girl child by trying to bring her at par with the male child is a key component of the scheme.
 24. Public distribution system (PDS) is an Indian food security system. Established by the Government of India under Ministry of Consumer Affairs, Food, and Public Distribution and managed jointly with state governments in India, it distributes subsidized food and non-food items to India's. Major commodities distributed include staple food grains, such as wheat, rice, sugar, and kerosene, through a network of public distribution shops (also known as ration shops) established in several states across the country. Food Corporation of India, a Government-owned corporation, procures and maintains the PDS.
 25. Indira Awaas Yojana is a social welfare programme, created by the Indian Government, to provide housing for the rural poor in India. The differentiation is made between rural poor and urban poor for a separate set of schemes operate for the urban poor (like the Basic Services for Urban Poor). It is one of the major flagship programs of the Rural Development Ministry to construct houses for BPL population in the villages. Under the scheme, financial assistance

worth Rs.70, 000/- in plain areas and Rs.75, 000/- in difficult areas (high land area) is provided for construction of houses. The houses are allotted in the name of the woman or jointly between husband and wife. The construction of the houses is the sole responsibility of the beneficiary and engagement of contractors is strictly prohibited. Sanitary latrine and smokeless *chullah* are required to be constructed along with each IAY house for which additional financial assistance is provided from Total Sanitation Campaign and Rajiv Gandhi Grameen Vidyutikaran Yojana respectively. This scheme, operating since 1985, provides subsidies and cash-assistance to people in villages to construct their houses, themselves.

26. Sarva Shiksha Abhiyan (The Education for All Movement) (SSA), is an Indian Government programme aimed at the universalisation of elementary education "in a time bound manner", as mandated by the 86th amendment to the Constitution of India making free and compulsory education to children of ages 6-14 (estimated to be 205 million in number in 2001) a fundamental right. The programme was pioneered by Atal Bihari Vajpayee.
27. The National Rural Health Mission (NRHM) is an initiative undertaken by the government of India to address the health needs of underserved rural areas. Founded in April 2005 by Indian Prime Minister Manmohan Singh, the NRHM was initially tasked with addressing the health needs of 18 states that had been identified as having weak public health indicators. Under the NRHM, the Empowered Action Group (EAG) States as well as North Eastern States, Jammu and Kashmir and Himachal Pradesh have been given special focus. The thrust of the mission is on establishing a fully functional, community owned, decentralized health delivery system with inter-sectoral convergence at all levels, to ensure simultaneous action on a wide range of determinants of health such as water, sanitation, education, nutrition, social and gender equality. Institutional integration within the fragmented health sector was expected to provide a focus on outcomes, measured against Indian Public Health Standards for all health facilities. As per the 12th Plan document of the Planning Commission, the flagship programme of NRHM will be strengthened under the umbrella of National Health Mission. The focus on covering rural areas and rural population will continue along with up scaling of NRHM to include non-communicable diseases and expanding health coverage to urban areas. Accordingly, the Union Cabinet, in May 2013, has approved the launch of National Urban Health Mission (NUHM) as a sub-mission of an overarching National Health Mission (NHM), with National Rural Health Mission (NRHM) being the other sub-mission of the National Health Mission.
28. The Union Cabinet gave its approval for launching of Aam Aadmi Bima Yojana (AABY), from 2nd October 2007, covering the death and permanent disability for the benefit of rural landless households as detailed below: The scheme provides for insurance of head of the family or an earning member of the family of rural landless household between the age of 18 to 59 years against natural death as well as accidental death and partial/permanent disability. The annual premium payable per member is Rs.200, of which 50% shall be paid by the Central Government and the remaining 50% by the State Government. Available at <http://pib.nic.in/newsite/erelease.aspx?relid=30703> last accessed on 12.3.14
29. Bharat Nirman is an Indian business plan for creating and augmenting basic rural infrastructure.[1] It comprises projects on irrigation, roads (Pradhan Mantri Gram Sadak Yojana), housing (Indira Awaas Yojana), water supply (National Rural Drinking Water Programme), electrification (Rajiv Gandhi Grameen Vidyutikaran Yojana) and telecommunication connectivity
30. Shehla Masood (1973-2011) was an Indian environmentalist, wildlife and RTI activist. She was shot dead around 11:19 AM on 16 August 2011 by three persons who were hired by a local woman interior designer in front of her house in Bhopal while she was sitting in her car and was about to leave.
31. Arvind Kejriwal (born 16 August 1968) is an Indian politician and former civil servant who was the 7th Chief Minister of Delhi from 28 December 2013 to 14 February 2014. He is the National Convener of the Aam Aadmi Party (AAP).Kejriwal is a Mechanical Engineering graduate of the Indian Institute of Technology Kharagpur and worked for the Indian Revenue Service (IRS) as a Joint Commissioner in the Income Tax Department. In 2006, Kejriwal was awarded the Ramon Magsaysay Award for Emergent Leadership recognising his involvement in a grassroots

movement (Parivartan) using right-to-information legislation in a campaign against corruption. The same year, after resigning from the IRS, he donated his Magsaysay award money as a corpus fund to found the Public Cause Research Foundation, a non-governmental organisation (NGO).

32. The Millennium Development Goals (MDGs) are eight international development goals that were

established following the Millennium Summit of the United Nations in 2000, following the adoption of the United Nations Millennium Declaration. All 189 United Nations member states at the time (there are 193 currently), and at least 23 international organizations, committed to help achieve the following Millennium Development Goals by 2015.

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