

Right To Information Act 2005: A Critical Analysis

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ABSTRACT

Right to Information law is today enhancing the beauty of democracy in 80 countries of the world. Of course, Sweden cannot be forgotten among the countries which gave importance to the right to information. To put it plainly, Sweden is the mother of the Right to Information Law, even greater is the Constitution of Sweden, which claims to be the oldest constitution in the entire world, in which democracy has been defined with the right to information within its embrace.

Key Word: Right to Information, Transparency, Constitution, Government

INTRODUCTION

Transparency is an important factor in the working system and working methods of an accountable public welfare state. In a democracy, disclosure of information has been enacted as an important right to ensure accountability of the state towards the people. The Right to Information Act 2005 seeks to promote transparency and accountability in the functioning of every public authority, ensure access to information under the control of public authorities, establish a practical governance system for citizens' right to information, constitute the Central Information Commission and State Information Commission and to provide for matters related or incidental thereto.

Since ancient times, humans have been eager to acquire new subjects and knowledge. Since the beginning, man has been attracted towards the natural environment in which he lives and has been trying to know and understand it. He always tried to increase his store of knowledge through various mediums, there is mention of obtaining information from different times. The Constitution of India provides freedom of language and expression to the citizens. What is the meaning of freedom of expression without notice or information in the Indian Constitution? The present era is of information, and information is the life form of life. Nothing is possible without information.

Till October 12, 2005, the participation of the people of this country in the government was limited only to the right to vote, but now people also have an effective law like Right to Information. According to Nikhil Dey, a social worker associated with Mazdoor Kisan Shakti Sangathan, 'For the first time after independence, every citizen of the country However, democracy is said to be the rule of the people, for the people and by the people. Right to Information has tried to make this definition of democracy meaningful. Now a citizen can see any government document, inspect the work done in public interest and demand answers from the officials responsible for every wrongdoing, by exposing the anomalies in the activities of the government administration through this Right to Information. A tremendous possibility has arisen to take us in the right direction.

RESEARCH PROBLEM

The Right to Information Act gives the common people the right to get relevant information, but illiteracy and Due to lack of awareness, most of the people in India are not able to exercise this right. Many people

believe that the fine/punishment given in case of violation by the informant/officials of the provisions of this Act. He is not so strict as to stop people from violating them. Apart from this, lack of adequate public awareness in rural areas, lack of proper system for collecting and disseminating information, inefficiency of public information officers and bureaucratic mentality etc. are considered to be major obstacles in the implementation of the Right to Information Act. Also, public information officers are not aware of the process of giving proper information, as a result, they do not give information due to lack of knowledge of the process, which currently remains the biggest challenge for the general public.

RESEARCH OBJECTIVE

The basic objective of the Right to Information is to empower the citizens, promote transparency and accountability in the working of the government, control corruption and make our democracy successful for the people in real sense. This law is to make the government successful for the people. This law is to make the government successful for the people. This law is an important step to provide information to the people about the activities of the government.

RESEARCH TOOLS

For this small research at my level, I read important books and talked to social workers who are working in the field of information, and understood their problems and problems, from which I got important information and I read the decisions, research papers of the High and Supreme Courts. Also studied articles in newspapers and magazines and internet facts and collected pictures and figures.

RESEARCH METHOD

To understand the scope of the Right to Information Act, various books and articles, case-laws of the Supreme and High Courts, research papers, internet and web links have been used.

RESEARCH HYPOTHESIS

When the administration works for the public interest and any policy is made, then people have the right to know about it. Jiten is also appointed as an officer under the Right to Information Act, he is R. T.I. While working as per the guidelines, they do not follow proper procedure, do not convey correct information to the people. In some circumstances, giving some information in public interest and national interest is prohibited, there are certain criteria for this. But even the information which should reach the general public is not given by the officers. The officer giving the information should not act contrary to the procedures so that the trust in RTI remains in the minds of the citizens.

1. Right to Information 2005 has been successful in providing information to the public.
2. With the advent of Right to Information 2005, there has been transparency in government work.

LITERATURE REVIEW

1. Right to Information - Implementation and Implications" by Shekhar Singh, this book provides insights into the implementation of the RTI Act in India and its implications for transparency, accountability, and governance. It offers a critical analysis of the challenges and successes of the Act.
2. RTI in India: The State of the Art" edited by Aruna Roy and others, this edited volume brings together contributions from activists, scholars, and experts on various aspects of the RTI Act. It offers a multidisciplinary perspective on the impact and challenges of the Act.
3. The RTI Story: Power to the People" by Aruna Roy, Aruna Roy, a prominent social activist and one of the key figures in the RTI movement in India, provides a first-hand account of the struggle for the right to information and its transformative potential.
4. Democracy and the Right to Information" by Venkatesh Nayak, this book explores the relationship between democracy and the right to information in India. It discusses how transparency and accountability mechanisms can strengthen democratic governance.

5. "The Right to Information Act: A Handbook" by Venkatesh Nayak, while this is more of a practical handbook, it offers a comprehensive overview of the RTI Act in India, making it a useful resource for those looking to understand the Act's provisions and usage.
6. "Transparency in Governance: An Appraisal of the Right to Information Act" edited by R. Raghava, This book features essays and articles by experts and practitioners on the subject of transparency and governance in India, with a focus on the RTI Act.

To find book reviews on these titles or to discover more books on the Right to Information in India, you can check academic journals, online book review platforms, or library catalogues. Additionally, websites and forums dedicated to governance, transparency, and civil rights issues in India may have discussions and reviews related to these books.

Right to Information law is today the glory of democracy in 80 countries of the world. It is increasing. Of course, Sweden cannot be forgotten among the countries which have given importance to the right to information. To put it bluntly, Sweden is the mother of the Right to Information Act. Even greater is the Constitution of Sweden, which claims to be the oldest constitution in the world, in which democracy has been defined encompassing the right to information.

Right to Information in major countries of the world

i. Sweden

Sweden is the first country in the world to implement the Right to Information, which provided the right to information to its citizens. Sweden was the first to give its approval to the permission to see government documents. Sweden had provided freedom of information to its citizens through its constitution 250 years ago, hence the Swedish Constitution is the oldest constitution in the world providing freedom of information.

ii. Mexico

In Mexico, Article 6 of the Constitution of 1778 provides for the right to freedom of information granted by the state. The Freedom of Information Law was passed unanimously by the Mexican Parliament in 2002 and was implemented in June 2003 after receiving approval from then-President George W. Bush in June 2002. This law mandates all people to receive information from government departments. Under this law, strict instructions have been given to government departments to provide information in just 20 days.

iii. Canada

Canada gave its citizens the right to obtain information in 1982, which includes information related to government institutions. The form of government records can be in the form of letters, memos, reports, photographs, films, drawings, diagrams, maps etc. When citizens ask for information, information will be provided within 15 days. Only that information will not be released that could harm Canada's security or relations with other countries. The powers of the Information Commissioner of Canada are quite limited.

iv. France

France had declared the rights of its citizens as freedom of information in Article 14 of 1789, in which all citizens have been given the right to get information. It was declared as freedom of information, in which all citizens have been given the right to get information.

v. United States of America

In America, this law was already in force in a weak state, but in the year 1966, it was approved in the form of Freedom of Information Act and in the year 1974, this law was strengthened by making some amendments in it. Barring some subjects, every citizen has the right to get information, this information will be provided to the person asking for it within 20 days.

vi. Britain

Britain is the first country in the world to enact an official secrecy law. British citizens have been opposing this law for a long time. In 1957, the nuclear accident occurred, which was prevented from being made

public, even though it was the largest nuclear accident in the world at that time. Its reality came to light when the British government made it public in the year 1987. After this, in 1989, the Right to Information was implemented by amending Article 2 of the Official Secrets Act 1911.

vii. Pakistan

In the year 2002, the then President of Pakistan Pervez Musharraf passed the Freedom of Information Bill. This law has given people the right to get information from public bodies. It may contain information related to ministries, departments, councils, courts and tribunals of the federal government. Corporations or state governments have been kept out of the scope of this law.

viii. Australia

Freedom of Information Act was passed in Australia in the year 1982. Which was given a more powerful form in 1989. All agencies of the federal government have been included in the scope of this law, along with this, information related to ministers, departments and public representatives has also been brought under the ambit of freedom of information.

Right to Information in India

RTI means Right to Information and it has been given the status of a fundamental right under Article 19 (1) of the Constitution. Anu. 19(1). Under which every citizen is given freedom of speech and expression and has the right to know how the government works, what is its role, what are its functions etc.

i. Right to Information in Chhattisgarh

Chhattisgarh State Information Commission was constituted under the provisions of the Right to Information Act, 2005. You can get information about State Information Commissioners, right to Information Act and the process of application related to Right to Information etc. from here.

ii. Presently Right to Information

Government schemes and government schemes play an important role in our daily life, but due to some careless or ill-informed officials sitting in the administration, many matters related to the common man remain as reams of paper instead of coming to fruition. After independence in 1947, till now the common citizen was a laborer. Today, the common citizen has got such a weapon called the Right to Information Act 2005, through which any citizen who has even a little discretion can easily get his pending work done in the government departments.

Conclusion and suggestions

In the present time, in a democratic governance system, there is a need to make the working of the government transparent, honest and accountable because all the work of the government depends on the taxes paid from the public's earnings. On the other hand, in a democratic system, the government is directly elected by the public and the public places its trust in its representatives. Therefore, all the working arrangements of the government should be for the benefit of the public and should be in the knowledge of the public. Therefore, for accountable government, it is necessary for the public in the country to have the power of Right to Information. At present, the Right to Information Act is enhancing the beauty of democracy in more than 80 countries of the world.

Suggestions

1. There should be a provision for speedy justice in the process of right to information.
2. The lack of resources in the Central Information Commission and the State Information Commission should be compensated.
3. Recruitment should be done on vacant posts in Central and State Information Commission and no
4. Resources should be replenished in the Central Information Commission and State Information Commission.
5. There should be provision of adequate staff in the Central and State Information Commission.

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