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Implementation of right to information act in Telangana - a case study of Warangal District

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Abstract
Right to Information is a basic human right of every human being. The renowned French philosopher Michel Foucault once opined, power is derived from knowledge and information is the basic component of knowledge. Information makes men wise and it is competent enough to cope up with the modern world. So, it is the duty of government to inform citizens about day to day happening whatever within the government. The transformation from governance to good governance is possible, if there is possibility of increasing participation of people in governance and free access of information. By realizing this fact, Indian parliament has passed Right to information act, 2005 to make government, accountable, responsible, efficient and transparent. Ironically the citizens earlier didn't have any legal right to know about the public policies or the expenses which has changed over a period of time but if this change is not exercised properly the purpose of this Act won't be served. Also, by way of proactive disclosures under section 4(1)(b) obtaining information even without asking for it can be made possible which will eventually fulfill both the purposes of the citizens of having updated information in public sector and also would decrease the work load of the Government in terms of receiving RTI applications. It thus becomes the job of the Government to ensure that RTI is not killed by the corrupt and the inefficient and the very spirit of it sustains.

Keywords: RTI act, awareness, good governance, RTI issues, recommendations

Introduction

India's tribunal system has repeatedly generated the same constitutional anxiety: bodies created to exercise judicial or quasi-judicial power have often remained administratively dependent on the executive departments whose decisions The RTI ACT 2005 is a part of fundamental rights under article 19(1) of the Constitution of India. It empowers citizens to know their entitlement to avail a particular public service, and redress the grievance, if any. It also includes right to be heard and consumer education, Ile education about his rights. It is based on the rationale of participatory, transparent and accountable governance. Under the RTI ACT 2005, public servants can also be questioned on their conduct and, thus, made accountable. It is also critical for giving the disadvantaged a voice in the formulation of local decisions that affect their lives (TI will help in this process. This act will have jurisdiction over every Public Authority in the country. In States, which have already passed or plan to pass such laws, both the state and Central Acts will co-exist - giving citizens a choice. The RTI has become strong tool in bring transparency in the governmental bodies, but the effort must be made to strengthen the system by resolving the problems not only faced by the applicants but also addressing the problems faced by the various public authorities Central Public Information Officer (CPIO)/ Assistant Public Information Officer (APIO).

Supreme Court and Right to Information: For more than two decades the Supreme Court of India has recognized the right to information as a constitutionally protected fundamental right established under the Article 19 (right to freedom of speech and expression) and article 21 (right to life) of the Constitution. The Supreme Court of India has not notified any rules to operationalize the Right to Information Act, 2005 (RTI Act) within its offices despite the passage of over five years. According to a combined reading of Section 2(e) (ii) and Section 28 of the RTI Act the Chief Justice of India is the competent authority empowered to notify rulesprescribing amongst other things the amount of application fee and additional fee that may be collected from information requesters. The website of the Supreme Court does not display any notification issued by the Chief Justice of India under Section 28 of the RTI Act.

Right to Information Act and Articles of Indian Constitution

The Right to information is a basic human right derived from Art 19(1) (a) of the constitution of India. It states, ―All the citizens have the right to the freedom of speech and expression and Art 21 deals with right to life of citizens. Constitution of India 1950 stated that the court has recognized the right to access of information from government department is fundamental to democracy. However, the right to information does not mean the free flow of information without any restrictions. Like all other fundamental rights, the right to information has also certain reasonable restrictions. Once the Apex Court opined, ―The people of this country have a right to know every public act, everything that is done in a public way, by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing. The right to know, which is derived from the concept of freedom of speech, though not absolute, is a factor which should make one wary, when secrecy is claimed for transactions, which can, at any rate have no repercussions on public security. To cover with a veil, the common routine business is not in the interest of the public. Such secrecy can seldom be legitimately desired. It is generally desired for the purpose of parties and politics or personal self-interests of bureaucratic routine.

Right to Information and Good Governance

The right to information act is a path making legislation which brings to light the secrecy of administration. It is an effective means to promote democratic ideology. The act is powerful instrument to fight against corruption. By realizing this significance, the Second Administrative Reform Commission had prepared a detailed blueprint for revamping the public administrative system. The second Administrative Reform Commission, government of India has published its first report in ―Right to Information: Master key to good governance. Through this report the commission directly mentioned that access to information can empower the poor and weaker sections of society to demand and government information about public policies and actions, thereby led to welfare of all. Good governance and right to information are complimentary to each other. A nation whatever form of government it pursues must fulfill the aspirations of common man. Good governance is the only avenue which can provide guaranty the life of individuals. Good governance is characterized by- political accountability, availability of freedom, bureaucratic accountability, availability of information, effectiveness, efficiency, law abiding citizen and cooperation between government and society. As such the Right to information is a natural corollary of good governance. The enactment of RTI act 2005 introduces an open and transparent government and gives every citizen right to seek and receive information to make administration more responsible and transparent which means good governance.

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 forms the crucial. Underpinning of participatory 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.

Objectives of the Study

1. To assess the perception of the public towards the right to information Act.
2. To analysis the level of awareness of the public about the right to information acts.

Research Methodology

Methodology is an important role in a research study. There are different methods to be followed at various stages of any scientific investigation. Research is an art of scientific investigation. Research, in common parlance refers to a search for knowledge. One can also define research as a scientific and systematic search for pertinent information on a specific topic. It is an academic activity and as such the term should be used in a technical sense.

Sampling

As there are many publics in the Organization, it is not possible to meet each and every public and conduct a survey because it is time consuming the tedious process. Hence among the sampling design. The samples were selected using random sampling.

Sample Size

A total of 50 respondents were selected as sample size for this study.

Sources of the Data

The present study is based on both primary and secondary data. Primary data was collected from the general public in Warangal District, Telangana, through the interview method using a structured questionnaire. Secondary data was collected from various sources, including the internet, books, research articles, magazines, newspapers, and other relevant publications. These sources helped in obtaining the necessary information for the study and in analysing public awareness and opinions regarding the Right to Information Act in Warangal District.

Table 1: Gender of the Respondents

Sl No	Particulars	Number of Respondents	Percentage
1	Male	35	70
2	Female	15	30
	Total	50	100

Source: Primary Data

From the above table, the samples selected from the gender of the respondents of male and female. From the above table, it is found that 70% of the whole respondents are male and rest of them is female. So, the majority of the respondents are male.

Table 2: Respondents Educational Qualification

Sl No	Particulars	Number of Respondents	Percentage
1	SSC	12	24
2	Inter	23	46
3	Degree	10	20
4	PG	5	10
	Total	50	100

Source: Primary Data

Table reveals that the total respondent. From the above table it is found the 46% of the respondents are finished higher secondary qualification, 24% of the respondent's school level and 20% of them belongs to under graduate's category and only 10% of them belongs to post graduate level. The majority of the respondent's qualification is higher secondary only.

Table 3: The Purpose of the Right to Information Act

Sl No	Particulars	Number of Respondents	Percentage
1	Frank Stage	14	28
2	Increase the awareness	16	32
3	Both	20	40
	Total	50	100

Source: Primary Data

The above table reveals the respondents' opinions regarding the purpose of the Right to Information (RTI) Act. Out of 50 respondents, 20 respondents (40%) stated that the RTI Act serves both purposes: ensuring transparency and increasing public awareness. A total of 16 respondents (32%) felt that the main purpose of the Act is to increase awareness, while 14 respondents (28%) indicated transparency as its primary purpose.

Table 4: Beneficiaries of this Act

Sl No	Particulars	Number of Respondents	Percentage
1	Government employees only	15	30
2	All Indian citizens	25	50
3	Collectors only	10	20
	Total	50	100

Source: Primary Data

On the basis of above beneficiary's sample respondents were selected among this category to pursue the research work successfully for present study. From the table it is inferred that 30% of the respondents are government employees only, 50% of the respondents are all Indian citizens and 20% of the respondents are collectors only. The majority of the respondents are All Indian Citizens only.

Table 5: Views of respondents on improvement in the quality of governance through public awareness

Sl No	Particulars	Number of Respondents	Percentage
1	Agree	26	52
2	Disagree	18	36
3	Can't say	6	12
	Total	50	100

Source: Primary Data

The above table shows the views of respondents on the improvement in the quality of governance through public awareness. Out of 50 respondents, 26 respondents (52%) agree that public awareness improves the quality of governance. Whereas, 18 respondents (36%) disagree with this view, and 6 respondents (12%) are unable to express their opinion. The data reveals that the majority of respondents believe that public awareness plays an important role in improving the quality of governance. Therefore, it can be concluded that public awareness is considered an important factor in promoting transparency, accountability, and effective governance.

Table 6: Supply of satisfactory information to the public

Sl No	Particulars	Number of Respondents	Percentage
1	Always	28	56
2	Sometimes	12	24
3	Never	10	20
	Total	50	100

Source: Primary Data

The above table reveals the respondents' opinions regarding the supply of satisfactory information to the public. Out of 50 respondents, 28 respondents (56%) stated that satisfactory information is always provided to the public, while 12 respondents (24%) reported that information is provided only sometimes. The remaining 10 respondents (20%) stated that satisfactory information is never provided. The findings indicate that the majority of respondents believe that information is consistently supplied to the public.

Conclusion

Though the Right to Information Act was enacted in 2005 and really five years have lapsed. If the most of the people in general are not aware of the existence of the act. Even among the educated group working in government offices, public are aware of the expedience of the act. But most of them are not aware fully about the contents and implication of the Act under various section of the Act. There is a hand full of countries where the right to information is enshrined in law but at same time the law restricts the right in its very essence. One such country is the public where an otherwise excellent law requires stating the reasons for their requests. Privacy and confidentiality are important values. Linked to the protection of autonomy and individuality which are themselves highly prized in a democratic society like India. The right to information act promotes other values critical in a democracy transparency and accountability to government action. None of this value is absolute. The Right to Information ought not to simply be seen as an instrument of showdown due to lost eagerness of a few people and make a wedge between the subject and the administration. Furthermore, it needs to go about as a mirror in order to arouse authoritative procedures, direct them to the intentional way of rectification and change in this very manufactures a connection between the residents and his legislature in a progressively tasteful way. Thus, making people aware of the right they possess and working towards its successful attainment becomes necessary.

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