



**ORIGINAL RESEARCH PAPER**

**Law**

**RIGHT TO INFORMATION: FUNDAMENTAL TO DEMOCRACY IN A MULTIPLE WAYS**

**KEY WORDS:** Information, Democracy, Good Governance, Human Rights and Corruption.

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**ABSTRACT**

In India, the Right to Information Act was developed in 2005. It guarantees the free flow of information, which is essential for a democracy since it fosters social development and maintains ongoing debate and discussion among the populace. Since the passage of the Act, the general public has a right to information regarding government initiatives. In a democratic system, it is essential to disseminate information to combat corruption and hold government agencies responsible for upholding good governance. The focus of this paper is on the importance of Right to Information in democracy. It also emphasized on the multifarious uses of right to information which is essential for bolstering the democratic system.

**INTRODUCTION**

It is commonly argued that information is power in contemporary culture. The democratic nations usually advocate decentralization and participatory governance by making such information available to the general public. In a democratic nation like India, everyone's right to information is unalienable. [1] It guarantees a citizen's right to know about governmental operations, his rights and advantages in governance, the public official's accountability and proper performance of their duties, transparency in the operation of the government etc. The main benefit of this right is that it gives to people the ability to fight against government or public official's corruption. To this end, people must have the right to process complaints against administrative decisions and this requirement supports the recognition of the right of every citizen to access information contained in government records. [2] Openness is one of the key principles of effective governance in a democracy. [3] The legislation on right to information is one of the most innovative and effective method for preserving environment, ensuring general welfare and other basic necessities of life. This right is also being protected under Article 19 (1) (a) of the Constitution of India. [4]

**Meaning of Right to Information**

The information age is currently in effect. Everybody and every nation aspire to have an ever-growing amount of information. Since knowledge is power, nations are vying with one another for greater access to it. People with access to more information tend to rule, while those with less information lag behind. The word 'information' has become so popular in today's world for seeking information, having access to the sources of information and ultimately receiving it. Information can be defined as any material in any form, including records, memos, emails, opinions, recommendations, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form, and information relating to any private body that can be accessed by public authority under any law currently in effect, but doesn't include file noting.

The phrase 'right to information' refers to a constitutional right to obtain information held by or under the authority of public agency. It also includes the following rights:

- a. Inspection of work, records and documents;
- b. taking notes, copies of records or documents, or extracts from them;
- c. Collect an official sample of the material; and
- d. Access information by way of printouts when it is stored on a computer or another device, diskettes, floppies, tapes, video cassettes, or any other electronic media. [5]

**Importance of Right to Information in Democracy**

International Right to Know Day, which takes place on September 28, is devoted to raising awareness of the value of the right to information and promoting more transparent democratic societies with active citizen participation in politics. In a democracy, the people have the ultimate source of sovereignty. [6]

In the name of "we the people of India," the Indian Constitution was adopted and put into effect. [7] Representatives of the people make up the two main institutions of government, the state legislatures and the Parliament, and they are chosen in free and fair elections. Individuals must be given the chance to voice their complaints and offer alternatives to the laws and procedures that they believe will best serve the interests of the populace. A prerequisite for transparent and inclusive governance is the right of the populace to information. [8]

**Multifarious Dimensions of RTI  
RTI- A Tool to Tackle Corruption**

The RTI not only aids in information gathering but also encourages administration and government to be open, accountable, and free of corruption. Until 2005, it was nearly impossible to complete any task at a government office without paying bribes. If a bribe is not paid, meaningless protests will be made and one will be made to run around. But, with the passing of this Act, it is no longer necessary to pay bribes in order to get work done in any government department. The RTI was found to be useful by many individuals in obtaining papers such as passports, ration cards, driving licences, water connections, copies of F.I.R., and more without having to pay bribes. People also have the authority to examine and assess the effectiveness of the work done by the government in their areas. In countless instances, the administration's malfeasance was disclosed by a simple RTI application, and culpability was established. [9] Transparency and corruption have an inverse relationship with one another. It implies that greater transparency will help to reduce corruption, whereas a higher level of corruption indicates that transparency is nonexistent. The Act's provisions can be applied to make sure that the authority carries out its other responsibilities fairly to get rid of corruption in the government's administrative functions. It helps to establish a system or mechanism which has led to an unparalleled level of transparency in the operation and functioning of public departments.

**RTI and Citizen-Government Partnership**

The Right to Information Act offers a framework for the promotion of citizen-government cooperation in developing and putting into action development programmes for raising

peoples' opportunities for better pay, better healthcare, better education, and a cleaner environment, as well as a richer cultural life. Citizens' participation has been encouraged under the RTI regime in a number of ways, including (a) access to information, participation of impacted groups and communities in project design and implementation, and (b) empowerment of local government bodies at the village level through collaboration with NGOs and self-help organisations. [10] A dialogue between the state and the people helps to lessen the feeling of inability and alienation, and it helps to instil trust in the people that they are a part of the system of decision-making. [11]

### Voter and the Right to Information

The foundation of democracy is the right to know or to be informed, which derives from the plenary provisions of Article 19 (1) (a) of the Indian Constitution. The Supreme Court stated in *Peoples Union for Civil Liberties v. Union of India*, [12] that informed citizens who are able to cast ballots are the cornerstone of a strong democracy. The right to information about a politician's background is important so that voters may assess each candidate and make informed decisions about who they should support. The right to cast a vote during an election would be pointless if the voters were not well-informed about both sides of the issues they would be asked to express their opinions on by doing so. In *T.N. Sheshan, CEC of India v. Union of India*, [13] the Supreme Court noted that our Constitution's preamble declares that we live in a democratic republic and the cornerstone of democracy is the voter's ability to access a candidate's biographical information.

### RTI and Good Governance

Access to information is a key enabler of transparency, which is defined as the public's availability of information and understanding of how institutions of government operate. The Right to Information Act's goal is to make government decision-making more transparent in order to encourage accountability as well as openness. Information relating to the violation of human rights can still be requested from union government's departments which fall under the exemption provisions of the Act. Even it is feasible to get information from private organizations through the governing body, who can notify the institution in question in accordance with section 11 of the Act. The majority of nations have come to understand through experience that increased citizen access to information improves government responsiveness to community needs. The public's perception of the government is subsequently improved as a result of the fast resolution of their complaints. Nowhere in the world is the operation of government completely transparent, however capitalist and democratic nations have a higher degree of transparency compared to authoritarian governments. The quality of life for citizens cannot be improved by any developmental plan if there is poor governance. Transparency, responsibility, the rule of law, and participation are all examples of good governance elements. [14] Absence of these elements results in poor governance. The lack of any one of these characteristics points to an administration that abuses its authority and is distant and corrupt. [15]

### RTI: A Basic Human Right

The right to information has been acknowledged as a fundamental natural right that every individual possesses. The right to information is expressly acknowledged in the constitutions of several nations, such as South Africa, Nepal, and Ghana, although it is not in the Indian Constitution. Nonetheless, the Supreme Court of India has held in a number of rulings that the right to information is included in the freedom of speech and expression that is protected by Article 19(1) (a) of the Constitution. The court further stated that the right to information is an essential element of the right to life and it cannot be enjoyed in the absence of the right to information. [16] In *Union of India v. Association for*

*Democratic Reform*, [17] the apex court ruled that the right to information in a democracy is acknowledged throughout history as a fundamental right that derives from the idea of democracy and is also found in Articles 19 (1) and (2) [18] of the *Covenant on Civil and Political Rights, 1966* at international level.

### CONCLUSION

In conclusion, India is regarded as the world's largest democracy, and in order to strengthen it more, RTI has played a significant role by increasing the accountability and transparency of the administrative system. The RTI Act may be a potent tool if used properly as it has its multiple uses in a democratic society. RTI is a tool that empowers individuals, bolsters democracy, and encourages good governance rather than only providing information. Information from the government should be freely given to the people it represents. This may boost public and government confidence in one another. Additionally, the right of the populace to participate in national affairs is useless if they are unaware of the problems on which they are called to express their opinions. RTI serves as both the foundation and the engine of democracy. Without the ability of populace to influence national affairs, democracy cannot be truly understood. If the people lack the access to information and the ability to hold their government accountable, democracy will not be meaningful in the truest sense. Therefore, in circumstances when citizens have little or no access to information, good governance in a democratic setup cannot be assured.

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