
**Right to Information and Democracy:
Pronouncing Inclusiveness and Expanding Arenas
of People's Participation**

Renu Singh

*Senior Research Fellow, Department of Political Science,
Jamia Millia Islamia, New Delhi*

ABSTRACT:

This paper basically analyses the consequential manifestations of Right to Information (RTI) from the perspective of an instrument of people's empowerment, contributing to the democratic spirit of India's governance machinery. Certainly, there exist glitches as far as the processes involving dissemination of information and RTI implementation is concerned, but holistically, right to information has ushered in a revolutionary transformation- 'from opacity to openness in governance mechanisms'. RTI has ascertained an authorised platform to ventilate people's apprehensions in getting their entitlements, being the citizens of an independent country, augmenting responsiveness in programme- implementation and thus, constricting the people-government trust deficit. More so, RTI has widened and streamlined the scope of people-government interaction with a noticeable bulge in people's participation, where being convenient and people friendly have added to its usage and popularity. Knitting proper channel of interaction between ruler and ruled and among ruled themselves brings in the utility of the values/concepts like transparency and accountability- a prerequisite to the processes involving in further democratic consolidation promising a just and fair society to live in. Therefore the paper elucidates the strong bonds and interdependence among the concepts of RTI, democracy, and people's participation. The information right is tutelage to expanding public sphere justifying its comprehensiveness through an equal opportunity for every individual to participate. Devoid of conventional/traditional segregations even at the grassroots, RTI is a promising agent to deliver

equality, justice in society and exhibiting a non discriminatory texture. Weeding out corruption and lubricating programme implementation through people themselves (hamara paisa, hamara hisab), where everyone without any exclusivity be it caste/ethnicity/gender/class can go for RTI has made it the yardstick of the contemporary edition of democracy demanding openness. However, literacy rates can prove to be a setback but mutual cooperation among people can prove to be helpful.

KEY WORDS: Democracy, rights, people’s Participation, Inclusiveness, accountability and transparency.

INTRODUCTION

The recognition of democracy as an idol form of political system lies in its acknowledgment of sovereignty of people as its cardinal. It has such popularity and support base just as it showcases people’s concern. But does it follow and practice the same principles as in developed world. The picture of countries experiencing transitional phase across different political cultures tells a different story. In India we have representative democracy and people are empowered with the fundamental rights to exercise freedom, equality, liberty and justice, ensured to them by the basic law of the land (constitution). Throughout the world, ‘the wave of transition to move away from authoritarian rule to representative democratic systems in the developing world marks a significant juncture. Whatever their limitations may be, these new, and in cases such as India not so new, electoral democracies have dramatically expanded the spaces for subordinate politics. The increased mobilization of lower castes in India of the past two decades is an example in view.’¹ Though such subordinate politics can only benefit a particular section/group of society and can hamper the rationale behind democracy through group affiliation and sectoral politics. Following the above statement we can say that the political regimes are in a phase of transition, there are some moving from authoritarian to democratic and there are others like us, India, shifting from representative (electoral) democracy

to participatory and deliberative democracy, therefore for us the question still remains, does the representatives (elected) are answerable to the local populace in the name of whom, these representatives are framing and implementing plans and programmes. After a period of five years casting vote to get elected the particular representative of course with an expectation that there problems and issues will be addressed and solved is there any mechanism to participate in the governance activity. Therefore, a shift from representative democracy to deliberative and participatory democracy is thus has been noticed among such representative democracies which is an imperative to listen to individuals either individually or collectively. In this regard the concept of rights based approach to development is a measure in view and most importantly Right to Information to bring in system the principles of transparency and accountability through individuals of their own without depending on any other link in between people and public authority concerned. As CHRI has recognized its significance being a tool to practical regime of people centric government, “the right to information is a unique human right. Not only has its status as a fundamental right been recognised throughout international and regional human rights law, for example in *article 19* of the *Universal Declaration of Human Rights* and the *International Covenant on Civil and Political Rights*, but countless stories from around the globe testify to the power of the right to information as a tool in the hands of everyday people.”ⁱⁱ Various impediments installed by the executive to keep away from the people the information records is in itself an example of why the documents have been kept away from the reach of the people, and this has gradually transformed into the greatest challenge that Indian political system even if democratic is facing today. Therefore, ‘It is important to identify the sources of corruption inherent within the character of the state machine. These include a determined denial of transparency, accessibility and accountability, cumbersome and confusing procedures, proliferation of mindless controls, and poor commitment at all levels to real results of public welfare.’ⁱⁱⁱ Therefore, as Harsh Mander has aptly recognized the significance of the RTI that, “RTI in many ways the most significant

reform in public administration in India in the last 50 years. As it would secure for every citizen the enforceable right to question, examine, audit, review and assess government acts and decisions, to ensure that these are consistent with the principles of public interest, probity and justice. It would promote openness, transparency and accountability in administration, by making government more open to continuing public scrutiny.”^{iv} Consequently RTI is a Tool of democracy inculcating the principles of transparency and accountability in the governance mechanism promising openness.

RIGHT TO INFORMATION: A PREREQUISITE TO DEMOCRACY

The British legacy of secrecy has its stranglehold over the culture of administrative practices in India. With the help of Official Secrets Act 1923 dissemination of any piece of information regarding administration was a crime by the particular official. But with the advent of globalisation and more so the ‘ICT- revolution’, information has been flowing transcending the territorial boundaries transforming the world into a ‘global village’. It is hard and even unjust to keep people uninformed about the use of their money (taxes they pay to the government) thus pro-active dissemination of government’s information in relation to people has been made a provision to be attached and followed by each and every office of public authority. But manipulation and corruption has so deeply penetrated into the whole system so that not even administrative culture of functioning but in our day to day socialization we ourselves promote and support corruption being exasperated of the clumsy and delayed procedures of government passage of files and red tapsim. To avoid these complications and to follow a smooth procedure one can use RTI. ‘The Right to Information Act is a paradigm shift for Indian democracy. By this Act the citizen of India has been empowered like never before. They can now question, audit, review, examine, and assess government acts and decisions to ensure that these are consistent with the principles of public interests, good governance and justice. This act promotes transparency and accountability in administration by making the government

more open to public scrutiny.’^v ‘Information is power. Information will make the people informed and the informed individual become informed individual. Primarily people need information about the functions, activities and resources allocations of the government. By getting this information from the government people can ensure their entitlements. Basically people should know as citizens what their entitlements are, how they are being delivered, and how they are to be claimed.’^{vi} The procedure here discussed is relevant in terms of institutions of local governance where people are even not informed and aware of their entitlements. For the successful working and fruitful results of the PRIs an informed citizen is a primacy over the welfare schemes where being uninformed the benefits are more prone to manipulation and will serve the better off. Further today democracy is need to be seen and worked more following the concept of Good Governance which has become the contemporary incarnation of successful democracy and as its basic elements are parallel to the purpose of RTI. There are eight major characteristics or components of good governance- participation, rule of law, transparency, responsiveness, consensus oriented, equity and inclusiveness, effectiveness and efficiency and accountability^{vii} where RTI promises participation, transparency and accountability and therefore we can say that RTI is an agent of Good governance.

DEEPENING DEMOCRATIC GOVERNANCE: PRONOUNCING INCLUSION

Certainly India has designed numerous plans so far and has given exclusive attention to address the age old issues of poverty, illiteracy, mal-nutrition, hunger etc. but the results still shows a gloomy picture in consonance with the amount of investment and development. Disparity among states on these parameters varies sharply in different spheres like – economic development, social (caste, class, religion) segregation, governance efficiency etc and statewise variation in terms of GDP. There is considerably low peoples participation in decision making and issues go unnoticed from government’s

consideration. Constitutionalisation of the institutions of local governance on April 24, 1993 through 73rd Amendment Act has so far been considered as one of greatest initiative that government has brought in to insure inclusive governance/democracy. As Professor Jayal has said, this was an initiative for decentralization that took democracy to levels of governance from which it had been absent thus far. The amendment act of 1992 in its provision of quota-based reservation for women and disadvantaged groups, the new amendment signalled a more inclusive democracy.’^{viii} “Certainly some states have acquired transformation through this process of decentralization but those which are having social hurdles, ended in Patron-client relationship for example Uttar Pradesh. To address inclusion the constitution makers inserted the chapter of protective discrimination for SCs, STs and for women in Panchayati Raj Institutions (PRIs) and in some states these benefits are also provided to OBCs. As Peter Ronald deSouza has highlighted the significance of this provision, “the reservation of a proportion of seats for women and the oppressed (*Dalits* and *Adivasis*) in the panchayat together with the reservation of a certain number of chairperson (sarpanch) posts for them. This strategy of using affirmative action, employing the reservation route for the empowerment of marginalized groups, is revolutionary. By giving them a voice and a public face, it creates an opportunity for them to make their claims on social resources (i.e., not just the money available from the state-sponsored schemes but also resources of the village such as water and common pastures) and to have a say on how these resources are to be distributed.” The appreciation is no doubt has its reflection in the designs and system of PRIs adopted by some of the leading states like, West Bengal, Karnataka, Kerala and Rajasthan, though Madhya Pradesh tried really well but as based on committees often leads to confusion among local people. But looking at the larger picture, the states well recognized as bamaru states like Uttar Pradesh, Orissa, Madhya Pradesh, Rajasthan have got arrested in its deep rooted ill practices and thus has transform this concept accordingly. In such a scenario where corruption has created a contractual web throughout the state governance mechanism RTI is a reforming tool. “Rural power in

India is constituted along three axes. First is the caste system, which governs relations between individuals, and even more between groups, through its principles of segmentation, exclusion, and humiliation. Second is patriarchy, which defines the terms of gender relations, especially in the public domain. Patriarchy gives women a subservient role, denying them the benefits of equal citizenship. Third is land, which provides the material basis for social life and sets the conditions for a social exchange that exhibits a feudal character in many parts of the countryside. Access to land, and the struggle over it, is of fundamental importance for the livelihood of the majority of the population. The nature of the power matrix becomes obvious when the landholding patterns are superimposed on the caste profile of a region.”^{ix}

RTI in this regard, beyond any caste, community or any other social affiliation all encompassing each and every individual is an empowering tool in the hands of poor and needy. RTI, circumscribing to participatory citizenship is a helping hand to the marginalised section as well. Even RTI can mean a lot to a rural people asking information regarding their entitlements and information attached with these schemes and programmes.

SCANTY PEOPLE’S PARTICIPATION AND ACCOUNTABILITY: A GAP TO BE PLUGGED

Among the major issues obstructing the very purpose of democracy and grass roots democracy in particular is the lack of people’s participation in governance mechanism. A limited voice representing only a few causes lasting effects of domination and subjugation which leads to layered structure of social hierarchy. Meaningful participation breaks power aggregation in the hands of a few challenging absolutism and arbitrariness. In this regard we can say that ‘Right to information has been seen as the key to strengthening participatory democracy and ushering in people centred governance.’^x An informed citizen can contribute in several ways in the development process of a particular region. Parochialism rampant in Indian villages can be addressed with the help of RTI. Informed masses can differentiate between right and

wrong and thus can help in curbing corruption and bridging the gap between people and government. ‘Information about functioning of government also enables citizens to participate in the governance process effectively.’^{xi}

Lack of information has limited the power in few hands limiting the active participation of a particular caste or group through such a manipulative content further strengthens and encourages differences and obstructs the purpose of the democracy as a whole. A healthy people’s participation has several positive ramifications to India being a multicultural society with more than half of the population residing in villages. A deliberation is a measure to get healthy feedback from a collective public opinion. The connection between the citizen and the state must be based on indiscriminate participation and inclusion. ‘Increasingly around the world, a number of mechanisms are being explored which can foster these more inclusive and deliberative forms of engagement between citizen and state. As John Gaventa has quoted Fung and Wright 2001 define such an approach as: ‘democratic in their reliance on the participation and capacities of ordinary people, deliberative because they institute reasons-based decision-making, and empowered since they attempt to tie action to discussion’. Such an approach, later re-labelled ‘empowered, participatory governance involves linking ‘bottom- up’ and ‘top-down’ forms of governance to create ‘a new architecture of governance that cuts a middle path between the dichotomy of devolution and democratic centralism’. Around the world, there are numerous examples of innovations which incorporate this approach, ranging from provisions for participatory planning at the local government level in India and the Philippines, to participatory budgeting in Brazil.’^{xii} John Gaventa has further tried to bring in the concept of participation as a special significance for decentralization. He says, increasingly, however, the concept of participation is being related to rights of citizenship and to democratic governance.^{xiii} ‘From the perspectives of poor people worldwide, there is a crisis in governance. While the range of institutions that play important roles in poor people’s lives is vast, poor people are excluded from participation in governance.’^{xiv} In such a scenario to support people’s voices and to consider

the issues and problems related to their life is not possible without an inclusive and regular interaction between people and the concerned authority. In India itself there are issues related to the upliftment and empowerment of the marginalised section including women, SCs, STs and disables. Merely relying on election based promises has become an old fashion to be tried again and again. In this context the study conducted by the PRIA says, ‘Too much dependency on electoral accountability has made the accountability mechanisms distorted and the citizen’s voice gets lost in its long process.’^{xv}

Though, ‘at the village level, the most important provisions relating to participation and accountability are those governing reservations and the *Gram Sabha*’^{xvi} but social and communal segregations have deformed the capacity of these provisions to address participation and thus accountability. Answerability from the part of authority or panchayats to publicly disclose the project funds and other people and village related information is however, a provision but to transform secrecy into openness is a challenge before the government. The deepening of accountability beyond elections is not just necessary for good governance and the rule of law, it is also central to ensuring rights and formulating development policies and practices capable of combating poverty and inequality.^{xvii} Another front in terms of accountability is the social addressing equal representation and participation.

Social accountability initiatives for being effective must have representation from diverse social groups which can happen by gradually and systematically expanding circle of participation.^{xviii} An effective interaction among different social groups, supporting and addressing each other’s issues can be a big boost to accountability, though seems less practical but a united effort can further enlarge the voices of the people. This expansion can take place by multiplication of external eyes (watchful citizens and community groups), diversification of political and ideological perspective and stimulating social movement which collectively can challenge elite bias in governance and society.^{xix} Participatory monitoring and evaluation elicits people’s

perceptions of the utility of development interventions initiated on their behalf. The purpose is to illuminate gaps between people's expressed needs and project responses, and the differential impact of such projects on diverse social groups.^{xx}

CONCLUSION

Right to information is a regime changer. It has potential to transform the strangleholds of secretive culture into openness. RTI is a ray of hope for people to get an answer to their complications in dealing with government procedures and waiting for years for replies and delays in those replies. Earlier it was only once in five year but with the help of RTI people can participate and interact with government everyday without any limitation on number of applications filed. For the effect working of the institution of RTI there is need for cooperation between people and government in changing their mindsets looking forward towards openness. Unsupportive from either side RTI can lose its purpose and relevance. As Asok Kumar Mukhopadhyay has aptly said, "the culture of secrecy has spread like cancer to area of citizen-administration interface. As a strategy for breaking the grip of this culture, action needs to be immediately initiated in such spheres of governance as have direct and extensive concern for the common man."^{xxi}

RTI is the true embodiment of people centric rule. After addressing the first generation issues of awareness generation and appointment of CIC and ICs RTI is now ushering in an era of openness through a proper interaction between people and government venting people's queries. Right from its implementation till 2013 the RTI is about to complete the journey of a decade and within such short span more so being convenient and user friendly RTI has revolutionised the power of information and has empowered individuals.

REFERENCES AND ENDNOTES:

-
- I. ⁱPatrick Heller. “Democracy, Participatory Politics and Development: Some Comparative Lessons from Brazil, India and South Africa.” *Polity*, Vol. 44, no. 4, 44, 643–665.; October, 2012. Available as: doi:10.1057/pol.2012.19.
 - II. ⁱⁱDaruwala, Maja and Nayak, Venkatesh, “Our Rights Our Information: empowering people to demand rights through knowledge”. *Commonwealth Human Rights Initiative*. 2007.
 - III. ⁱⁱⁱMander, Harsh and Joshi, Abha. “The movement for right to information in India: People’s Power for the Control of Corruption” *CHRI*.
 - IV. ^{iv} *Ibid*.
 - V. ^vSrivastava, Smita, “The Right to Information in India: Implementation and Impact”. *Afro Asian Journal of Social Sciences* Volume 1, No. 1 Quarter IV 2010 2229 – 5313
 - VI. ^{vi} Palanithurai, G. “Problems and Scope in handling RTI from grassroots perspective” *Indian Journal of Public Administration*. Vol. LV.no. 3, July-Sep. 2009. Pp.422-433.
 - VII. ^{vii}Kumar, Satish and Kaur, Silky. “ Has RTI succeeded in restoring good governance in India?”. *World Focus*. Vol. XXXIV. no. 11. Nov. 2013.pp. 42-48.
 - VIII. ^{viii}Jayal, Niraja Gopal, 'Engendering local democracy: The impact of quotas for women in India's panchayats', *Democratization*, vol. 13, no. 1, 2006, 15-35.
 - IX. ^{ix}Srivastava, Smita. “The Right to Information in India: Implementation and Impact, *Afro Asian Journal of Social Sciences* Volume 1, No. 1 Quarter IV 2010, pp. 2229 – 5313.
 - X. ^xII Report(2006), *Second Administrative Reform Commission*. GOI.
 - XI. ^{xi} *Ibid*.

-
- XII. ^{xii}Gaventa, John. “Towards Participatory Local Governance: Six Propositions for Discussion”, *Currents* 28 Swedish University of Agriculture. 2002. Also see: Fung, A. and E. O. Wright (2001), “Deepening Democracy: Innovations in Empowered Participatory Governance”, *Politics and Society* 29, pp. 5-41 and Fung, A. (2002)
- XIII. ^{xiii}Gaventa, John. “Towards Participatory Local Governance: Six Propositions for Discussion”, *Currents* 28 Swedish University of Agriculture. 2002.
- XIV. ^{xiv}*Ibid.*
- XV. ^{xv}Democratic Accountability in Local governance institutions: experiences from South Asia. PRIA- World Partnership. 2011.
- XVI. ^{xvi}Johnson, Craig. “Decentralization in India” In *Decentralisation in India: Poverty, Politics and Panchayati Raj* Working Paper 199, Overseas Development Institute February 2003.
- XVII. ^{xvii}Democratic Accountability in Local governance institutions: experiences from South Asia. PRIA- World Partnership. 2011.
- XVIII. ^{xviii}*Ibid.*
- XIX. ^{xix}*Ibid.*
- XX. ^{xx}Jenkins, Rob & Goetz, Anne Marie “Accounts and accountability: theoretical implications of the right-to-information movement in India”. *Third World Quarterly*, Vol. 20, no. 3, pp 603- 622, 1999.
- XXI. ^{xxi}Mukhopadhyay, Asok Kumar. “The RTI Act: A critical Assessment” *Indian Journal of Public Administration*. Vol. LV.no. 3, July-Sep. 2009. Pp. 435-454.