

Right to Information Act: A Great Step to Tackle Corruption with Special Reference to India

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Abstract

India is a democratic country and in every democratic country, there is a need of good governance and transparency. In every development administration experiences indicated that there has always an urgent need for improving government .Today in India there is unprecedented corruption at all levels. All feel its squeeze but corruption is roaring high. The main factor behind the corruption is secrecy, which was taken as a tool of accuracy towards government in past era. If we want transparency in governance, there is a need to crack the corruption by cracking the walls of secrecy. This paper tries to highlight the RTI as a vital tool in the reduction of Corruption and some steps for the development of democratic governance.

Keywords: Right to Information, Transparency, Corruption, Secrecy, Cracking, reduction

INTRODUCTION

Access to information acts are grounded in the recognition that information in the control of public authorities is a valuable public resource and that public access to such information promotes greater transparency and accountability of those public authorities, , and that this information is essential to the democratic process” in the control of public authorities is a valuable public resource and that public access to such information promotes greater transparency and accountability of those public authorities, and that this information is essential to the democratic process” The right of citizens to know what governments, international organizations and private corporations are doing, and how public resources are allocated, directly reflects anti-corruption concerns. Corruption flourishes in darkness and so any progress towards opening governments and intergovernmental organizations to public enquiry is likely to advance anti-corruption efforts. Corruption is the abuse often trusted power for private gain. It hurts everyone who depends on the integrity of people in a position of authority. Corruption is an age-old phenomenon. The word corruption means destruction, ruining or spoiling – a society or nation. Selfishness and greed are at the root of it; it also implies lack of integrity and honesty. A corrupt society is characterized by corruption and lack of fear or respect for the law. When it stops valuing integrity, virtue or moral principles it starts decomposing. Corruption comes under many different guises: inducement, misappropriations of public goods, nepotism (favouring family members for jobs and contracts), and influencing the formulation of laws or regulations for private gain. Corruption is a prevalent disease whose roots can never be detected even by those who are experts in investigating things. Corruption as it means today cannot be defined for a reason of limiting of its extent. This is because Prevention of Corruption act mentions not only persons who do illegal acts as being corrupt, but only those who are significantly public servants. There is a need to study this issue for further research. Corruption arising out of secrecy has no solution until the veil of secrecy is removed through transparency. The transparency and openness develops in the public sector only if, when the people are aware about the government decisions, laws made by the government and always touches with the day to day activities of government. The Right to Information act aware the people about the access of information and also government gives them the Right to freedom of freedom of speech and expression and freedom of life under Article 19(1)(a) and Article 21 of Indian Constitution of India.

OBJECTIVES OF STUDY

1. To study that the role of Right to Information Act in combating the corruption in India.
2. To examine the Right to Information Act as a tool of change for good governance.

METHODOLOGY

In this article the study is based on Secondary sources, which includes books, journals, reports, news papers, internet websites, government publications and records.

DISCUSSION

1) Corruption in India

Corruption in India is a major issue that adversely affects its economy. A study conducted by Transparency International in year 2005 found that more than 62% of Indians had firsthand experience of paying bribes or influence peddling to get jobs done in public offices successfully. In its study conducted in year 2008, Transparency International reports about 40% of Indians had firsthand experience of paying bribes or using a

contact to get a job done in public office. In 2012 India has ranked 94th out of 176 countries in Transparency International's Corruption Perceptions Index, tied with Benin, Colombia, Djibouti, Greece, Moldova, Mongolia, and Senegal.¹ In 2013, India was ranked 94th out of 175 countries. In 2014 India ranked 85th out of 175 countries in Transparency International's Corruption Perceptions Index, compared to its neighbours Bhutan (30th), Bangladesh (145th), Myanmar (156th), China (100th), Nepal (126th), Pakistan (126th) and Sri Lanka (85th).² A 2005 study done by Transparency International (TI) in India found that more than 50 per cent of the people had first-hand experience of paying inducement or peddling influence to get a job done in a public office. Taxes and bribes are common between state borders; Transparency International estimates that truckers pay annually \$5 billion in bribes. Officials often steal state property. In Bihar, more than 80 per cent of the subsidised food aid to poor is stolen. Corruption has taken the role of a pervasive aspect of Indian politics and bureaucracy. The economy of India was under socialist-inspired policies for an entire generation from the 1950s until the 1980s. The economy was shackled by extensive regulation, protectionism and public ownership, leading to pervasive corruption and slow growth. The causes of corruption in India include excessive regulations, complicated taxes and licensing systems, numerous government departments each with opaque bureaucracy and discretionary powers, monopoly by government controlled institutions on certain goods and services delivery, and the lack of transparent laws and processes. There are significant variations in level of corruption as well as in state government efforts to reduce corruption across India.³ Most of the largest sources of corruption in India are entitlement programmes and social spending schemes enacted by the Indian government. Examples include Mahatma Gandhi National Rural Employment Guarantee Act and National Rural Health Mission. Other daily sources of corruption include India's trucking industry which is forced to pay billions in bribes annually to numerous regulatory and police stops on its interstate highways.⁴

A bench of Justice R. V. Raveendran and A. K. Patnaik gave this ruling (briefly reported on August 10) while allowing disclosure of answer sheets of students in public examinations. The Bench said the RTI Act provisions should be enforced strictly and all efforts made to bring to light the necessary information under section 4 (4) (b) which "relates to securing transparency and accountability in the working of public authorities and in discouraging corruption."⁵

2) Impact of Corruption

Globally, there is a general consensus amongst most academics and policy makers that the debilitating effects of corruption permeate through all aspects of public life. Several studies have shown that corruption not only stifles growth, it also perpetuates inequalities, deepens poverty, causes human suffering, dilutes the fight against terrorism and organised crime, and tarnishes India's image globally. The impact of corruption is multi fold, encompassing: political costs, economic costs, social costs, environmental costs and issues of national security.⁶

- a. **Political Costs:** Political parties are perceived to be the most corrupt institutions by Indians, according to 2009 Global Corruption Barometer.⁷ The corruption in political costs, reduces the political interest. Less believe on politicians. It obviously effects on the legitimacy of democratic system.
- b. **Economic Costs:** Corruption affects the development of country as increasing the cost of public transactions, acts as an additional tax on business thereby reducing investment, reducing genuine business and affects the public life.
- c. **Social Costs:** The effect of Corruption on the society is more as compared to other. All the citizens of the society lose trust on political system and mostly the leaders attached to them. The people didn't feel interest in take part in the government decisions. Eventually there is a risk that demanding and paying bribe became the norm.
- d. **Environmental Costs:** This Environmental degradation is another indirect problem by Corruption. The environment disturbing projects are given more preference because of public money into private money.
- e. **Issues of National Security:** As for security agency is concerned the Corruption increases the threat of National Security. There can be easily import and export of smuggling of weapons and makes a smooth road for terrorists into the country. The Corruption can become the cause for underdevelopment of the country.

3) Role of Right to Information act in Reducing the Corruption in India

Information is an inalienable and natural right of every human being. In a democratic country each person has the right to freedom of opinion and expression. This right includes right of holding public opinion and to seek, receive and impart information ideas from the public authorities. They have right to know as to what the government is doing and why it is doing. It is only if the people know how government is functioning that they can fulfil the role which democracy assigns to them and make democracy a really effective participatory democracy. The available and appropriate information helps citizens to live a dignified life in a civilized society.⁸ Moreover there is a close link between Right to Information and Good Governance. The Good Governance is only possible when the society is very open and Corruption free. In the following sections of the article, it is discussed how RTI has developed a strategy for reduction of Corruption and smooth governance.

- i. **Promotes Transparency:** Right to Information enables citizens to see how governments, those in

public offices, are working. Transparency is the corn stone of any good government. RTI act has the potentiality to tackle with this uncontrolled corruption in both at gross root level and at power corridors of high and mighty. After enactment of this act, many a cases of corruption came to light. From the common wealth Games to 2G scam, RTI queries have been the starting point of exposure in a score recent access to corruption. It is the most powerful weapon in the hands of a common people to challenge the hidden fortress of administrative system.⁹

- ii. **Promotes Accountability:** Accountability is another requirement for reducing Corruption The Right to Information act provides people with mechanism to access information, which they can use to hold the government accountable or to seek explanation as to why decisions have been taken, by whom and with what consequences or outcomes. When people are aware about the government decisions. The public officers and common people are interconnected, then it reduces the chances of corruption.¹⁰
- iii. **Promotes Accessibility:** when citizens have access to information about service delivery and other government functions, they know what they are entitled to and they know how and where to demand their right to those services and other benefits.¹¹ The Right to Information act by providing easy access of information reduces the traditional long gap between citizens and administration and thus helps in nation building process. The right to know and easy access of government information helps the people to understand the limitations of government at different levels. The real effect of information focuses on the reduction of Corruption.
- iv. **Promotes Participation:** RTI Act facilitated and encouraged the participation of common people in the process of governance and reduces the imbalance in power relationship, provides a tool to oppose injustice and allows collective spirit to make democracy work for everyone. Right to Information facilitates citizens in making political and economic choices and thus strengthens democracy. The process of paying bribe in day to day life decreases and tries to control as it becomes a social norm in the society.
- v. **Promotes Empowerment:** Before enactment of Right to Information Act, participation in political and economic processes and the ability to make informed choices has been restricted to India. As a consequence, commoners remain ignorant of various schemes and are unable to resist when their rights become causality. At the same time, people remain ignorant in terms of the ways and means through they can obtain their entitled rights from the concerned departments legally.¹² RTI act democratized the information and decentralized the power. Power no more remains confined to select few, rather it was made available equally to all citizens. So, undoubtedly RTI serves as a great tool of empowerment for the common people.¹³

CONCLUSION

This article clearly mentions the effect of Corruption on the development of country regarding different aspects like social, Political, environmental, economic and security of country. As for Transparency International's Corruption perceptions index is concerned In 2014, India has 85th position out of 175 countries. So Corruption is the main cause for underdevelopment in India. The RTI Act has given a historic opportunity to root out corruption and the culture of secrecy from the Indian government affairs and pave the way for governance reform, greater accountability and transparency in government affairs. Across the country, a growing number of people are using the RTI applications as a weapon to fight corruption and demand their rights. The RTI is enabling people to say no to bribes. It is an all-encompassing act with consequences that have prompted some to say that it is the most important legislation since independence.

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