

RIGHT TO INFORMATION AND ITS ROLE IN STRENGTHENING GOOD GOVERNANCE

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ABSTRACT

The Right to Information (RTI) Act is widely regarded as one of the most significant democratic reforms in India. By empowering citizens with access to information held by public authorities, the Right to Information Act, 2005 seeks to promote transparency, accountability, and participatory governance. Judicial interpretation has played a decisive role in expanding the scope of the right to information by linking it to the fundamental right to freedom of speech and expression under Article 19(1)(a) of the Constitution. This research article critically examines the role of the RTI in strengthening good governance in India, with special reference to landmark Supreme Court judgment. This Paper highlights how RTI contributes to transparency, accountability, and control of corruption while identifying implementation challenges. The article concludes that RTI, supported by progressive judicial decisions, remains a cornerstone of good governance in India, although institutional strengthening and legal safeguards are essential for its effective realization.

Keywords: Transparency, Accountability, Participation, Governance, Democracy, Government and Public Policy.

INTRODUCTION

“Where a society has chosen to accept democracy as its creedal faith, it is elementary that the citizens ought to know what their government is doing.” -**Justice P N Bhagwati**

Good governance is the cornerstone of democratic political systems. In a country like India, characterized by its vast population, social diversity, and administrative complexity, transparency and accountability in governance are essential for effective public administration. The Right to Information has emerged as a vital instrument for bridging the gap between the government and the governed. The enactment of the Right to Information Act, 2005, marked a significant shift from a culture of secrecy to openness in Indian administration. The RTI Act empowers citizens to seek information from public authorities, thereby enhancing their ability to participate meaningfully in governance processes. This study seeks to analyze the role of RTI in promoting good governance in India and assess its achievements and limitations.

The Right to Information (RTI) is rooted in the principle that knowledge is power, making access to information essential for democratic empowerment. The enactment of the Right to Information Act, 2005 marked a major step toward transparency, accountability, and citizen participation in governance. The Act replaced the Freedom of Information Act, 2002, and grants citizens the legal right to seek information from public authorities across all levels of government, including institutions substantially funded by the state. Its objective is to reduce corruption, enhance administrative

efficiency, and promote good governance.¹ Historically, governance in India was influenced by colonial secrecy, particularly under the Official Secrets Act, 1923. Judicial interventions—such as in the *Bennett Coleman & Co. v. Union of India* and *State of Uttar Pradesh v. Raj Narain*—recognized the right to information as implicit in the constitutional guarantee of freedom of speech under Article 19(1)(a). Civil society movements, notably by the Mazdoor Kisan Shakti Sangathan, further strengthened demands for transparency, ultimately leading to the RTI Act's passage.²

The Act established the Central Information Commission (CIC) as an independent appellate body to oversee implementation. The CIC has delivered landmark decisions, including rulings that file notings are subject to disclosure and that political parties may qualify as public authorities due to indirect public funding. However, political resistance, bureaucratic reluctance, and attempts to dilute the Act have posed Challenges. While RTI has significantly enhanced transparency and empowered citizens—especially in exposing corruption in welfare schemes like Mahatma Gandhi National Rural Employment Guarantee Act—issues persist. These include misuse through frivolous applications, rising pendency of cases, threats and attacks on RTI activists, and proposed amendments perceived as weakening institutional independence.³ Despite these concerns, RTI remains a landmark in Indian democracy. It has strengthened participatory governance by enabling citizens to scrutinize public authorities. The Act's success, however, depends on responsible use by citizens, administrative openness, political will, and institutional efficiency. Ultimately, RTI reinforces democratic governance by promoting transparency, accountability, and rule of law through collaborative engagement between the state and civil society.⁴

CONCEPT OF RIGHT TO INFORMATION AND GOOD GOVERNANCE

Good governance requires the transparent, accountable, and lawful exercise of power to ensure security, effective administration, and socio-economic development. However, these objectives cannot be achieved without access to information. The Right to Information Act, 2005 provides citizens with a legal mechanism to scrutinize public authorities, thereby strengthening institutional accountability and democratic legitimacy. From both institutional and functional perspectives, RTI supports governance by enabling ex ante transparency in decision-making and ex post accountability through public oversight. Judicial recognition of the right to know, as affirmed in *State of Uttar Pradesh v. Raj Narain*, further links transparency to constitutional democracy. Thus, RTI transforms the principles of good governance—transparency, participation, and accountability—into enforceable legal rights, making democratic governance more responsive and responsible.⁵

EVOLUTION OF THE RIGHT TO INFORMATION IN INDIA

The demand for transparency gained momentum in India through civil society movements in the 1990s, particularly the Mazdoor Kisan Shakti Sangathan (MKSS) movement in Rajasthan. These movements exposed corruption in public welfare schemes and emphasized the need for access to official records of beneficiaries.⁶ The enactment of the Right to Information Act, 2005 was the culmination of sustained public advocacy for transparent governance.

¹ The Right to Information Act 2005; The Gazette of India; Ministry of Law and Justice; <https://rti.gov.in/rti-act.pdf>

² Roy, A. (2018). *The RTI story: Power to the people*. Roli Books.

³ Sharma, P. (2015). *Democracy and transparency in the Indian state: The making of the Right to Information Act*. Routledge.

⁴ Rai, V. (2019). *Rethinking good governance: Holding to account India's public institutions*. Rupa Publications India.

⁵ Addink, H. (2019). *Good governance: Concept and context*. Oxford University Press.

⁶ Pande, S. (2008) The Right to Information and grassroots democracy in India. IDS Bulletin.;38(6):47-56.

SALIENT FEATURES OF THE RTI ACT, 2005

The RTI Act, 2005, contains several provisions that strengthen good governance.

- Right of citizens to access information from public authorities.
- Mandatory time limits for providing information.
- Establishment of the Central and State Information Commissions.
- Penalties for non-compliance by public officials.
- Provisions for the proactive disclosure of information.⁷

THE NEED FOR THE RIGHT TO INFORMATION IN ENSURING GOOD GOVERNANCE

The enactment of the Right to Information (RTI) Act, 2005, represents a landmark development in the evolution of public administration in India. The legislation introduced a new paradigm of transparency, responsibility, and accountability within governance structures, particularly influencing the implementation of development programs in rural and marginalized areas. The RTI Act has proven to be a path-breaking instrument in curbing corruption, reducing administrative delays, and improving the functioning of public authorities, especially in the execution of government-sponsored schemes.

Access to information and knowledge is fundamental for the realization of human aspirations, including the enhancement of the quality of life and socio-economic development. Prior to the enactment of the RTI Act, accountability mechanisms within public administration were largely inadequate and ineffective. Despite exercising their democratic right to elect governments and contributing through taxation, citizens lacked any legal entitlement to access information regarding policy formulation, administrative decision-making, and program implementation. They were unable to ascertain how public policies affecting their lives were framed, how development schemes were executed, who the responsible officials were, and why the promised public services and welfare benefits often failed to reach the intended beneficiaries. This persistent absence of transparency fostered a culture of secrecy that originated during the colonial period and continued for several decades post-independence. Such secrecy has contributed significantly to widespread corruption, administrative inefficiency, and systemic governance failures. The lack of openness and accountability not only weakens institutional performance but also perpetuates socio-economic inequalities and poverty.

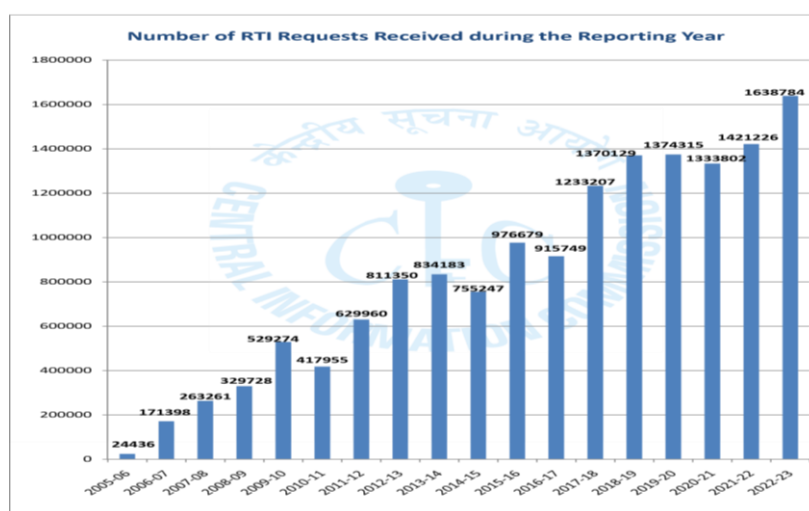
Good governance comprises four essential elements: transparency, accountability, predictability, and participation. These principles emphasize the availability of information to the public, clarity in government processes, and the responsiveness of public institutions. The Right to Information plays a crucial role in operationalizing these principles by empowering citizens to seek information, participate in governance, and hold public authorities accountable.⁸ In this context, good governance and the right to information are mutually reinforcing and complementary to each other. Good governance is characterized by political and bureaucratic accountability, freedom of information, administrative efficiency and effectiveness, adherence to the rule of law, and constructive cooperation between the state and civil society. Therefore, the Right to Information may be regarded as a natural and indispensable corollary of good governance, strengthening democratic governance and enhancing the quality of public administration.

⁷ Right to information Act, 2005

⁸ Srivastava, S. (2010), The Right to Information in India: Implementation and Impact, Volume 1, No. 1 Quarter IV, Afro Asian Journal of Social Sciences.

RTI AS AN INSTRUMENT OF DEMOCRATIC GOVERNANCE

The Right to Information (RTI) has emerged as a powerful instrument of democratic governance in India. By legally empowering citizens to access information held by public authorities under the Right to Information Act, 2005, RTI strengthens transparency, accountability, participation, and decentralized governance. It operationalizes the constitutional principle that democracy requires an informed citizenry.⁹



ENHANCING TRANSPARENCY IN PUBLIC ADMINISTRATION

Transparency is a core pillar of good governance. RTI reduces administrative secrecy by mandating proactive disclosure of information and by allowing citizens to request official records, file notings, and policy documents. Section 4 of the RTI Act obligates public authorities to maintain and publish key information suo motu, thereby minimizing arbitrariness in decision-making. Judicial recognition of the right to know as part of freedom of speech under Article 19(1)(a) further reinforces transparency as a constitutional value. Through these mechanisms, RTI promotes openness and deters corruption in public administration.¹⁰

STRENGTHENING ACCOUNTABILITY MECHANISMS

RTI enhances both horizontal and vertical accountability. Vertically, citizens can question administrative decisions, expenditures, and policy implementation. Horizontally, institutions such as the Central Information Commission (CIC) and State Information Commissions function as independent appellate authorities to ensure compliance with the Act. By enabling scrutiny of government records, RTI subjects public officials to public and legal oversight, thereby strengthening answerability and reducing abuse of power.¹¹

It indicates a significant rise in RTI applications in India, increasing from 24,436 in 2005–06 to 1,638,784 in 2022–23. This growth reflects increasing public awareness, citizen empowerment, and trust in the RTI Act as a tool for transparency and accountability. Despite minor declines in some years, including 2020–21 due to COVID-19 disruptions, the overall trend remained upward. The continuous growth in RTI usage highlights greater citizen participation and demand for accountable

⁹ Government of India. (2005). *The Right to Information Act, 2005*. Ministry of Law and Justice.

¹⁰ *State of Uttar Pradesh v. Raj Narain*, (1975) 4 SCC 428.

¹¹ Central Information Commission. (n.d.). Functions and powers under the RTI Act, 2005. Government of India.

governance. However, it also creates challenges for public authorities and Information Commissions, requiring improved digital infrastructure, adequate resources, and timely disposal mechanisms.

PROMOTING CITIZEN PARTICIPATION

Democratic governance requires active citizen engagement in public affairs. RTI empowers individuals and communities by equipping them with information necessary to participate meaningfully in governance processes. Access to information regarding welfare schemes, budgets, and public works enhances informed participation and strengthens deliberative democracy. Civil society movements advocating transparency have demonstrated that informed citizens are better able to claim rights and demand efficient service delivery.¹²

RTI AND DECENTRALIZATION

RTI reinforces decentralized governance by extending transparency obligations to local self-governing institutions, including Panchayati Raj bodies and urban local authorities. By enabling citizens at the grassroots level to monitor local expenditures and development schemes, RTI strengthens democratic accountability in decentralized structures. This fosters participatory governance and bridges the gap between the state and rural communities.¹³

ROLE OF CIVIL SOCIETY AND MEDIA

Civil society organizations and the media have played a crucial role in utilizing RTI to expose corruption, maladministration, and policy lapses. Grassroots movements such as the Mazdoor Kisan Shakti Sangathan were instrumental in advocating for transparency legislation. Investigative journalism supported by RTI disclosures has further amplified public debate and strengthened democratic oversight. Thus, RTI acts as a collaborative mechanism between citizens, civil society, media, and the state in promoting good governance.¹⁴

JUDICIAL INTERPRETATION AND LANDMARK CASES

The judiciary has played a pivotal role in strengthening the right to information in India. In the State of Uttar Pradesh v. Raj Narain (1975), the Supreme Court held that citizens have the right to know every public act of public officials and that transparency is essential for democratic governance.¹⁵ In S.P. Gupta v. Union of India (1981), the Court emphasized that open government is the new democratic culture and that secrecy should be the exception rather than the rule.¹⁶ In People's Union for Civil Liberties v. Union of India (2003), the Supreme Court recognized voters' right to know the criminal antecedents and financial background of electoral candidates, thereby strengthening transparency and accountability in the electoral process. After the enactment of the RTI Act, in the Central Board of Secondary Education v. Aditya Bandopadhyay (2011), the Court clarified the scope of RTI while cautioning against its misuse. Similarly, in Girish Ramchandra Deshpande v. Maharashtra, Central Information Commission (2013), the Court balanced the right to information with the right to privacy of individuals.

¹² Jenkins, R., & Goetz, A. M. (1999). Accounts and accountability: Theoretical implications of the right-to-information movement in India. *Third World Quarterly*, 20(3), 603–622.

¹³ Manor, J. (2004). Democratic decentralisation in India. World Bank.

¹⁴ Baviskar, A. (2010). Winning the right to information in India: Is knowledge power? In R. Peet (Ed.), *Contradictions of globalization*. Routledge.

¹⁵ State of Uttar Pradesh v Raj Narain, (1975) 4 SCC(478)

¹⁶ S.P. Gupta v. Union of India, 1981, Supp SCC 87.

CHALLENGES IN IMPLEMENTATION OF RTI

Despite its success, RTI faces several challenges, including delays in information delivery, pendency of cases before Information Commissions, lack of awareness, bureaucratic resistance, and threats to RTI activists. These challenges undermine the effectiveness of the RTI as a tool for good governance.

1. **Lack of Awareness** -Many citizens are unaware of their right to information and the procedure for filing RTI applications. This is especially true in rural and backward areas of the country. Low awareness limits public participation in the governance. Without citizen engagement, the RTI Act cannot function effectively.
2. **Bureaucratic Resistance** -Many government officials perceive RTI as interference in their work. Consequently, information is often delayed, denied, or provided incompletely. This resistance reduces transparency and accountability in the system. This weakens the culture of open governance.
3. **Delay in Providing Information** -Timely information is crucial for ensuring accountability. However, delays in replying to RTI applications are common in India. Appeals and complaints take a long time to resolve. Such delays reduce the relevance and impact of the information.
4. **Weak Institutional Capacity** -Information Commissions face staff and infrastructure shortages. India has a huge backlog of pending RTI appeals. This weakens the enforcement of the Act. Institutional inefficiency affects good governance.
5. **Misuse of RTI** -Some applicants misuse the RTI for personal motives or harassment of officials. Frivolous and repetitive applications increase the administrative burden. This distracts attention from genuine public-interest cases. This affects the credibility of the RTI.
6. **Threats to RTI Activists** -RTI users and activists often face threats, harassment, and violence. The lack of proper whistleblower protection discourages citizens from seeking information. Fear undermines transparency. This directly affects the democratic governance.
7. **Excessive Use of Exemptions** -Authorities often misuse the exemption clauses of the RTI Act. Information is denied in the name of national security or confidentiality. Such overinterpretation reduces openness. It goes against the spirit of the RTI Act.
8. **Political and Administrative Interference** -Political influence on the appointment and functioning of Information Commissioners affects their independence. This reduces public trust in RTI mechanisms. Autonomous institutions are essential for ensuring accountability. Interference weakens the good governance.
9. **Poor Record Management** -Many government departments maintain outdated and incomplete record-keeping. The lack of digitization makes information retrieval difficult. Poor record management causes delays and errors. Transparency suffers from inefficient systems.
10. **Weak Proactive Disclosure** -Public authorities often fail to disclose information suo-motu as required by the RTI Act. Government websites are outdated or incomplete. This has increased the number of RTI applications. This reflects a poor commitment to transparency.

CONCLUSION

The Right to Information (RTI) Act stands as a cornerstone of good governance in India, having significantly transformed the nature of state-citizen relations. By institutionalizing the citizen's right to access information as an extension of the constitutional guarantee under Article 19(1)(a), the RTI Act has reinforced the core principles of transparency, accountability, and participation that underpin

good governance. Judicial interpretations have further strengthened this framework by affirming that openness in governance is essential for a functioning democracy. Consequently, RTI has enabled greater public scrutiny of government actions and decision-making processes. In the context of good governance, the RTI Act has played a vital role in dismantling the entrenched culture of administrative secrecy. It has empowered citizens to seek explanations for governmental actions, monitor public policy implementation, and expose inefficiencies, maladministration, and corruption. This enhanced transparency has contributed to improved administrative accountability, compelling public authorities to act in a more lawful, responsive, and ethical manner. Furthermore, by enabling informed citizen participation and strengthening the role of civil society, RTI has deepened democratic engagement at the grassroots level, a key indicator of good governance.

Nevertheless, the realization of good governance through RTI remains incomplete. Persistent challenges such as procedural delays, limited public awareness, institutional constraints of Information Commissions, and bureaucratic resistance continue to weaken the effectiveness of the Act. These shortcomings undermine the potential of RTI as a governance reform tool. Therefore, strengthening implementation mechanisms, enhancing institutional capacity, ensuring the independence of oversight bodies, and safeguarding RTI users are imperative. Addressing these challenges is essential to fully harness the RTI Act as an instrument for promoting transparent, accountable, and participatory governance in India.

REFERENCES

1. Addink, H. (2019). Good governance: Concept and context. Oxford University Press.
2. Roy, A. (2018). The RTI story: Power to the people. Roli Books.
3. Baviskar, A. (2010). Winning the right to information in India: Is knowledge power? In R. Peet (Ed.), Contradictions of globalization. Routledge.
4. Bhattacharya, A. (2021). Right to Information and strengthening democratic accountability: A review. *Journal of Governance and Public Policy*. ;11(2):55-68.
5. Central Board of Secondary Education v. Aditya Bandopadhyay, (2011) 8 SCC 497.
6. Central Information Commission. (n.d.). Functions and powers under the RTI Act, 2005. Government of India.
7. Girish Ramchandra Deshpande v. Central Information Commission, (2013) 1 SCC 212.
8. Government of India. (2005). The Right to Information Act, 2005. Ministry of Law and Justice.
9. Jain R, Roy S (2021),. Digitalizing transparency: RTI in the age of e-governance in India. *Information Polity*. ;26(2):225-239.
10. Jain S. (2020), The future of the Right to Information in India: Challenges and prospects. *International Journal of Law and Policy Review*;9(1):21-35.
11. Jain, Anshu (2012) "Good governance and right to information: a perspective." *Journal of the Indian Law Institute* 506-519.
12. Jain, M.P. & Jain, S.N., (2010) Principles of Administrative Law (LexisNexis Butterworths Wadhwa, Nagpur).
13. Jenkins, R., & Goetz, A. M. (1999). Accounts and accountability: Theoretical implications of the right-to-information movement in India. *Third World Quarterly*, 20(3), 603–622.
14. Manor, J. (2004). Democratic decentralisation in India. World Bank.
15. Naib, Sudhir, (2011), The Right to Information Act, 2005 A Handbook (Oxford University Press, New Delhi).
16. Pande S. (2008) The Right to Information and grassroots democracy in India. *IDS Bulletin*.;38(6):47-56.
17. People's Union for Civil Liberties v Union of India, (2003) 4 SCC 399 .

18. Sharma, P. (2015). Democracy and transparency in the Indian state: The making of the Right to Information Act. Routledge.
19. Rai, V. (2019). Rethinking good governance: Holding to account India's public institutions. Rupa Publications India.
20. Right to information Act, 2005
21. Roy A., (2019), Transparency and accountability in India: Role of the RTI Act. Indian Journal of Public Policy and Governance. ;3(1):89-97.
22. S.P. Gupta v. Union of India, 1981, Supp SCC 87.
23. Sharma, R. (2021). Jan Soochna Portal: A new era of proactive RTI disclosure. Public Administration Review India, 10(2), 98–112.
24. Sharma, Sarbjit, and Gopal Krishan, (2006), Right to information: Implementing an information regime. Authorspress.
25. Srivastava, Smita (2010), The Right to Information in India: Implementation and Impact, Volume 1, No. 1 Quarter IV, Afro Asian Journal of Social Sciences.
26. State of Uttar Pradesh v. Raj Narain, (1975) 4 SCC (478)
27. The Right to Information Act 2005; The Gazette of India; Ministry of Law and Justice; <https://rti.gov.in/rti-act.pdf>
28. Tiwari, S.K. (2010), Right to Information: An Important Tool of Social Development, Good Governance and Strong Democracy, Global Medical Journal, Indian Edition.
29. United Nations Development Programme, (1997), Governance for Sustainable Human Development .
30. Verma, K. (2022). Online RTI portals and digital governance in India. E-Government Review, 9(1), 33–47.
31. Yadav, Dr. Abhe Singh, (2016) Right to Information Act, 2005, An Analysis (Central Law Publications, Allahabad).