

CHAPTER – 1

INTRODUCTION

Introduction

“A Customer is the most important visitor in our premises. He is not dependent on us. We are dependent on him. He is not an interruption in our work. He is the purpose of it. He is not an outsider in our business. He is part of it.”
Mahatma Gandhi¹

India is democratic country and in every democratic country, there is always a need of good governance. In every development administration experiences indicated that there has always an urgent need for improving government. Good governance and democracy are meaningful when beneficiaries can audit the performance of those who act on behalf of the state. To audit the performance people have to be well informed.

An informed citizenry is a condition standard to democracy. True test of democracy and governance is, a transparent, easy to understand and rational policy formulation. People should have a right to know, how and why certain decisions are taken. They should be allowed to judge the quality of governance, not by mere proclamation or declaration of people centered decision but with the help of a right to evaluate, examine and even acquiring necessary information regarding quality of decisions.² Today in India we have unprecedented corruption at all levels. All of us feel its pinch. The main factor behind the corruption is secrecy, which was taken as a tool of faithfulness towards government in past era. For transparency in governance, there is a need to crack the corruption by cracking the walls of secrecy. The prevalence of corruption, lack of accountability, efficiency and effectiveness demands the requisite changes and transformations to ensure good governance. Before it, people should be acquainted with democracy and governance. Some consider democracy as a set of values and governance, as a process of interaction among state, civil society and private sectors. The UNDP Human Development Report, 2002 stated

¹ Second Administrative Reforms Commission, *Citizen Centric Administration: The Heart of Governance*, 12th Report, 2009.

²S.P. Sathe, *Right to Information* (New Delhi: Lexis Nexis Butterworths, 2006).

that “for politics and political institutions to promote human development and safeguard the freedom and dignity of all people, democracy must widen and deepen.”³

Democracy and Accountability: A Brief Note

1.1 Democracy- Concept, Definition& Models

Generally democracy means rule by the people as contrasted with the rule by a person or a group. In a democracy, ‘Power’ is scattered, limited, controlled and exercised in rotation. Democracy also means government by consent, which can be elicited through elections that register voter’s decision.⁴ Therefore, we can say that a form or system of government, which rule for the welfare of the people and by the people, is known as democracy. Anthony Arblaster stated, “Democracy refers to a situation where power and authority ultimately rest with the people. Democracy ensures the accountability of those holding power to the people who are the ultimate source of that power.”⁵ Though democracy is a legitimate and universally appropriate form of government, different foundations or social preconditions produce quite different but possible democratic systems. The term democracy has been understood not only as a form of government but also as an ideal or as a way of life. The routes of democracy can be cultivated only with the help of transparent and people centered governance.

According to Lipset, “Democracy may be defined as a political system, which supplies regular constitutional opportunities for changing the governing officials and a social mechanism, which permits the largest possible part of the population to influence major decisions by choosing among contenders for political office”.⁶

In short, democracy is associated with participation, competition, civil and political liberties. Historically it has been defended on the ground of fundamental values such as equality, liberties, moral self-development, social utility, satisfaction of wants, efficient decision etc. In present context people are treated as customer or consumer and government as service provider. This system ensures equality and self

³ UNDP, *Human Development Report* (2002)

⁴ Sushila Ramaswami, *Political Theory: Ideas & Concepts* (New Delhi: Macmillan Publication, 2008), 377.

⁵ Janaki Srinivasan, “Democracy” in *Political Theory: An Introduction*, eds. Rajeev Bhargava and Ashok Achary (Noida: Darling Kindersley, Pearson, 2010), 108.

⁶ R.C. Vermani, “Theories of Democracy” in *An Introduction to Political Theory*, (New Delhi: Gitanjali Publishing House, 2002).

rule and allows equal opportunities and rights. Generally, democracy is a procedural concept, which is more than the presence of elections and liberties. A political system requires give and take compromises. It is perhaps the only known political system that can provide individuals the right, to be treated equally before the law and right to vote. According to Plato, “Democracy is the system of rule by the governed, with the alternative system of monarchy (rule by individuals), oligarchy (rule by a small elite group) and democracy (ruling class of property owners).⁷

The term ‘Democracy’ has three basic senses. In contemporary usage, direct democracy in which political decisions is exercised directly by the whole body of citizens, representative democracy in which citizens have the same rights through representatives that are chosen by them and responsible to them, liberal or constitutional democracy in which power are exercised within a frame work of constitutional provisions to guarantee all citizens some rights.⁸ David Held explains different ‘models of democracy’⁹ i.e. classical democracy, republicanism, liberal democracy, competitive elitism, democratic autonomy and many more. Liberal democracy is an indirect and representative form of democracy and the inherent democratic elements reflects the belief that government should in some way be accountable or sensitive to the people.¹⁰ Indian democracy is a combination of liberal and representative democracy. It is the consent of the people, which makes government authority legitimate. It is an ethos, a social value, national commitment and lastly a way of life. Democracy entails a system of governance and keeps the rule of law, a free press, energetic civil society organizations and effective and independent public bodies.¹¹

1.2 Democracy and Good Governance

When we talk about democracy, it needs some democratic rules to execute in real manner. To quicken and strengthen the democratic process there is a need of informed citizenry, their active participation in process of government, delegation of

⁷ *Encyclopedia of Americana*, Vol. 8 (New York: Americana Corporation, 1970)

⁸ *The New Encyclopedia of Britannica*, Vol. 4, 15th ed., 2007

⁹, David Held, *Models of Democracy*, 2nd ed.(Stanford, C.A. : Stanford University Press, 1996), vii-xi

¹⁰, Andrew Heywood, *Political Ideologies* (London: Macmillan Press 1998), 46.

¹¹ S.N. Yadav and Indu Baghel, eds., *Good Governance and Human Development* (New Delhi: Jananda Prakashan, 2009).

power and responsibility.¹² Democracy has some basic features which are inherent in good governance. Good governance is more easily achieved and guaranteed in democratic state. It ensures accountability and transparency on the part of government. When we go through the qualities and features of democratic state or democracy, it indicates the effective practice of governance in that state. In a democracy, the power and functions must be kept separate and exercise separately to make governance good. Accountability, transparency, predictability, participation, rule of law, free and fair elections and separation of power are some basic elements of good governance. To exercise these elements democracy or democratic state is the first and foremost priority. For democracy to be real, it has to ensure the elements of good governance.

The need of good governance is universally accepted. Good governance constitutes the cornerstone of every democracy. It has recognized that state and its machinery should work for the welfare of the people. The concept of good governance includes wide range of issues like economic, political, administrative and judicial as well. It rests on positive, responsive and sensitive administration. It is a value laden concept, which put emphasis on public interest, public welfare, public service and public goods.¹³ Governance is the main aspect of every democratic country. It is the process of exercising different forms of powers in different institutional arenas. Today the role of governance has changed and it takes and plays the role of good governance. Good governance is ‘techno-managerial’¹⁴ in approach, which focus on decentralization, transparency and accountability and it is only possible in democracy.

1.2.1 Concept and Elements of Good Governance

The concept of governance has altered with time and new public management. Its change over is considered as good governance. Here the concept of governance and good governance discussed. According to World Bank, “Governance is defined as the manner in which power is exercised in the management of country’s economic

¹² *Encyclopedia of Americana*, Vol. 8 (New York: Americana Corporation, 1970)

¹³ S.B Kumar, “Overview of Good Governance in India”, *Third Concept* 22 (2008), 258.

¹⁴ Samuel John, “*What is good governance*” accessed June 24, 2012. www.infochangeindia.org.

and social resources for development”.¹⁵ The concept of governance points out a creation of new structure, which can't be externally imposed but is the result of interaction of multiplicity of governing and each other influencing actors. The World Bank has identified three different aspects of governance i.e. form of political regime, the process by which authority is exercised and the capacity of governments to design, formulate and execute policies and discharge functions.¹⁶ The Organization for Economic Cooperation and Development (OECD) identified four key components of governance: legitimacy of government, accountability of political and official elements of government, competence of governance to make policies and deliver services, respect for human rights and of law.¹⁷ From the above all explanation we can conclude governance in many manners. We can conclude it as a set of institutions that are drawn from government but beyond from government. In its broader sense it refers to the administration of all types and all levels. It is the process of decision making and the process of its implementation. The manner in which power is exercised is governance. In its traditional manner, governance refers to forms of political system and the manner in which power is exercised for utilizing economic and social resources for development. According to Commission on Global Governance (1995), “Governance is the sum of many ways individuals and institutions, public and private, manage their common affairs. It is continuing process through which conflicting or diverse interest may be accommodated and cooperative action may be taken.”¹⁸

Governance is a new paradigm. It denotes something more than, ‘government’ which refers to a set of instruments through which people governs themselves by means of laws, rules and regulations enforced by the state apparatus. All large societies develop special institutions for making and enforcing collective decisions. These bodies are the government. The activity, process or quality of governing by these bodies is governance. This term directs our attention not so much to the structures of government as to the task of governing itself, to the policies which are

¹⁵ World Bank, “*Governance and Development*”, (Washington D.C., 1993), accessed June 25, 2012. <http://www.ifad.org/gbdocs/ed/67/e/EB-99-67-INF-4.pdf>

¹⁶ Aftab Alam, *Crisis of Governance*, (New Delhi: Raj Publications, 2003).

¹⁷ Rajbir Singh Dalal, “Conceptual Dimension of Good Governance”, *Prashasnik*, 39, 1(2011)

¹⁸ S.L Verma, *Advanced Political Theories: Analysis and Technologies* (Jaipur: Rawat Publication, 2008) 375-376.

made and to the effectiveness with which they are carried out. Governance- the task of managing complex societies involves the coordination of many public and private sector bodies, it is the ability to get things done without the capacity of command that they are done.¹⁹

The concept of governance simply means the process of decision making and the process by which decisions are implemented or not implemented. The act or process of governing, specifically authoritative direction or control is called governance. According to Gram Hayden, “Governance is rational concept, emphasizing the nature of interactions between state and social actors and among social actors themselves.”²⁰ Governance relates to serving the people. It comprises the complex mechanism and process through which citizens and group articulates their interest and exercise their legal rights and obligations. The central focus of governance is how a society, through a nation state, handles the affair of the state which enables its people to lead a peaceful, orderly and reasonably prosperous and participative life.²¹

1.2.2 Difference in Governance and Government

The concept of governance is not similar as government and it is a process rather than a product. It refers to the process whereby elements in society use power and authority and influence decisions and enact policies which cover economic and social development. It is broader notion than government. Government is the elected body of representatives headed a person. This body has the mandate to rule or govern people and the manner in which they use the established system and principles to run the affairs of the country is called governance. Governance is what a government does. It is the exercise of the powers, which are bestowed upon the government according to set rules and regulations using a system of bureaucracy that defines governance. Government is merely an instrument for the purpose of governance. Governance involves interaction between state and civil society. It also encourages the participation of political actors to change the traditional structure of the society.

¹⁹Rod Hauge & Martin Harrop, *Comparative Government and Politics: An Introduction* (New York: Palgrave Publishers 2001) 5th edition.

²⁰ R.P Sinha, *E-Governance in India: Initiatives and Issues*, (New Delhi: Concept Publishing Company 2006), 13.

²¹ Aftab Alam, *Crisis of Governance*, (New Delhi: Raj Publications, 2003).

Government and governance are closely associated, but now governance has acquired a wider meaning and scope. The government refers to the formal institutions of the state while governance signifies, “a change in the meaning of government, referring to a new process of governing; or a changed condition of ordered role; or the new method by which society is governed.”²² Governance encompasses the nature of functioning of states, institutional and structural arrangements, decision-making process, policy formulation implementation capacity, information flow and the relationship between rulers and ruled.

1.2.3. Paradigm Shift from Governance to Good Governance

In the era of globalization and after new public management,* the concept of governance turns into good governance. The term ‘good governance’ has been coined by the World Bank in 1989.²³ The means and ways of governing efficiently and effectively is good governance. Good governance requires building institutions, restructuring public services and working on mechanisms that increase openness and focus to serve the public effectively to ensure efficient administration. After the emergence of state, good governance is the core of political thought. It is concerned with the commitment to the service of the people. It is a form of delivery of goods and service in the effective way. Good governance is an integral part of the performance of both traditional and development roles of the government. Like democracy, it is difficult variable to operational. In broader sense, it includes the process and result of making authoritative decisions for the benefit of the society.

India is considered as ‘World’s largest Democracy’ and there is no doubt that democracy is deepening in India from independence and need of the hour also. To fulfill the need of the hour, it is essential to move towards people or citizens centric administration i.e. from governance to good governance. At political level democratic deepening takes place through democratic decentralization through 73rd and 74th amendments to the constitution. Even this process has been recounting at legislative level, through various central government schemes, which made an attempt to make

²², B.S Bhargava, “Governance, Good Governance and the Indian Context”, *Prashasika*, 37,1(2000)

* New Public Management is a global Public management reform movement that redefines the relationship between government and society, calls for public sector reforms and to focus on achieving result. It makes public administration customer driven.

²³ Rajbir Singh Dalal, “Conceptual Dimension of Good Governance”, *Prashasika*, 39, 1(2011)

deeper participation of beneficiaries. In sum, several attempts have been made since independence to deepen the practice of democracy and practiced good governance in the country included Administrative Reform Commissions and many committees in this regard. In such a context Right to Information Act, 2005 is one of them, which ensure the elements or components of good governance.

1.2.4 Elements & Mechanism of Good Governance

In present era, good governance is defined in terms of checklist of criteria and these are accountability, transparency, public sector management etc. It is dynamic process. It encompasses fast changing of political, social and economic milieu. Good governance has another version of ‘SMART’ governance i.e. simple, moral, accountable, responsive and transparent governance.²⁴ The foundation of good governance is based on transparency openness, access to information, quality in delivery of services, access to justice and rule of law. In 1992²⁵ World Bank defined governance and focused on state reforms came to realize that most of the crises in developing countries are of a governance nature. In this regard, the World Bank has introduced a new way of looking at governance; good governance. According to the World Bank’s document entitled ‘Governance and Development (1992)’, the parameters or components of good governance are included:

1. Legitimacy of the political system
2. Freedom of association and participation by various social, economic, religious, cultural and professional groups in the process of governance.
3. An established legal frame work based on rule of law.
4. Bureaucratic accountability including transparency in administration.
5. Freedom of information and expression required for formulation of public policies, decision making, monitoring and evaluation of government performance.
6. A sound administrative system leading to efficiency and effectiveness.

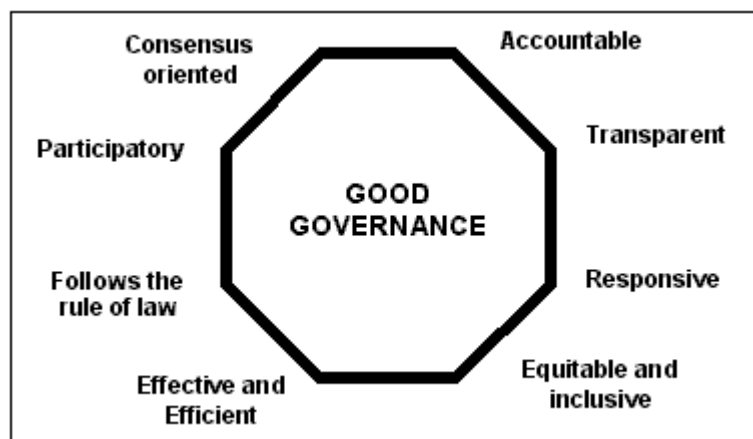
²⁴ S.N. Mishra, Anil D.Mishra, and Shweta Mishra, *Public Governance and Decentralization* (New Delhi: Mittal Publication, 2003), 929.

²⁵ United Nations Economic and Social Council, “*Compendium of Basis Terminologies in Governance and Public Administration*”, 5th ed. (New York, 2006).

7. Cooperation between government and civil society organizations.²⁶

Along with this, UNESCAP, UNCHR, ADB and many other esteemed organizations defined and highlighted the element/characteristics of good governance.

Figure 1.1: Characteristics of Good Governance



Source: UNESCAP (undated)

As per UNESCAP,²⁷ there are eight major characteristics or components of good governance. These are as follow:

- 1 Participation:** Participation is the corner stone of good governance. It could be either direct or through legitimate intermediate institutions or representatives.
- 2 Rule of Law:** Good governance requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minorities. Impartial enforcement of laws requires an independent judiciary and impartial and incorruptible police force.²⁸ A fair, predictable and stable legal framework is essential to access economic opportunities and act on them without fear of arbitrary interference.²⁹

²⁶ World Bank (1992), "Governance and Development" quoted from Y.K. Sabharwal India Speech at <http://suprecourtindia.nic.in/speech/speeches-2005/rti/doc>. Accessed on September 14, 2012

²⁷ <http://www.unescap.org/pdd/prs/ProjectActivities/Ongoing/gg/governance.asp> last visited on Sep28, 2012.

²⁸ Ibid

²⁹ UNDP, "Transparency and Accountability in the Public Sector in the Urban Region", (New York: UNDP, 2004).

- 3 Transparency:** Transparency means that decisions taken and their enforcement are done in a manner that follows rule and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that is provided in easily understandable forms and media.
- 4 Responsiveness:** Good governance requires that institutions and processes try to serve all stakeholders within a reasonable time frame.
- 5 Consensus Orientated:** There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest in the whole society and how this can be achieved. It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development.
- 6 Equity and Inclusiveness:** A society's well being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the main stream of society. This requires all groups. But particularly the most vulnerable, have opportunities to improve or maintain their well being.
- 7 Effectiveness and Efficiency:** Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.
- 8 Accountability:** Accountability is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their institutional stakeholders. Who is accountable to whom; depend on whether decisions or actions taken are internal or external to an organization or institution. In general an organization or an institution is accountable to those who will be

affected by its decisions or actions. Accountability cannot be enforced without transparency and rule of law.³⁰

The organization for Economic Corporation and Development (OECD) has also identified the similar components of good governance. As identified by different organizations, we can understand good governance; which is accountable, make policies for the welfare of the people, provide good service and follow the rule of law. It is observed from above mentioned indicators that good governance is associated with efficient and effective administration in a democratic framework, which is a person oriented, participatory and transparent.

When we talk about parameters of good governance transparency and accountability required more attention and discussion. Transparency is the foremost condition for governance to make it good. It refers to the availability of information for public. Transparency in government functioning, decision making and public policy implementation make it effective and provide a path for accountability. Transparency and accountability are like two sides/concepts which are interrelated and mutually reinforcing. ‘Without transparency it is unfettered access to timely and reliable information on decisions and performance, it would be difficult to call public sector entities to account.’³¹ The availability of information is essential to ensure accountability in public officials for their behavior and responsive to the entity from which they derive their authority. To achieve the elements of good governance it must be understandable to common people.

1.3 Accountability: Definition, Concept & Theories

Accountability and governance are interrelated to each other. If a governance wants to become good governance it has to follow basic aspects and elements. There is great nexus between accountability and governance. Accountability is defined as, the state of being accountable, liable or answerable. To be accountable, means to be obliged to report, explain or justify something.

³⁰ “What is Good Governance”, on <http://www.unescap.org/pdd/prs/projectactivities/ongoing/gg/governance.asp> Accessed on 19 August, 2011.

³¹ UNDP, “*Transparency and Accountability in the Public Sector in the Urab Region*”, (New York: UNDP, 2004)

The concept of accountability is younger than organized government. It has different meaning in all era. In some context, the definition of accountability depends upon the nature of government itself. In modern state, accountability has two major meanings. It involves the idea that those who exercise the power, whether as governments, as elected representatives or as appointed officials, are in a sense stewards and must be able to show that they have exercised their powers and discharge their duties properly.³²

As political point of view, people who elect the government expect many things from it. Accountability is one of them. United Nation's Economic and Social Council (ECOSOC) defines accountability as follows, "Accountability is one of the prerequisite of democratic or good governance. It entails holding elected or appointed officials charged with a public mandate responsible and answerable for their actions, activities and decisions. It is the role of civil society to hold those in public office accountable. Accountability seeks to know who is liable for what and what kind of conduct is illegal."³³

As hierarchic point of view, there is upward accountability. Accountability is responsibility to some outsider higher level of authority by a group of persons or a person in an organization. In other words, it may be defined as to be answerable to one's senior when one presents a report of the decision and the quality and quantity of action in the course of carrying out responsibilities. It requires satisfactory reasons for one's conduct and an acknowledgement of responsibility for one's action. According to Jabbar and Dwivedi "Accountability is not only the foundation of any governing process but it is also a check on power and authority exercised by both politicians and administrators."³⁴ Accountability refers both a mechanism and a process. When one institution (office A) is obliged to give account of its activities to another institution (office B) than office 'A' is Accountable to office 'B'. Accountability describes a

³² R.Pattanayak, Dictionary of Public Administration, (New Delhi : Annual Publications Pvt. Ltd,2000)

³³ *United Nations Economic and Social Council (ECOSOC)*, Definitions of basic concepts and terminologies in governance and public administration, E/C/16/2006/4. <http://unpanl.un.org/intrdoc/groups/public/documents/on/upon022332.pdf> visited on October 23, 2011.

³⁴ A. Younis Talib and M.D. Mustafa Iqbal, *Accountability in Public Management and Administration in Bangladesh*, (U.S.A: Ashgate Publishers, Vermont 2000) 8.

relationship in which 'A' is accountable to 'B'. 'A' is obliged to explain and justify its action to 'B', if it fails to do so, 'A' can be penalized by 'B'.³⁵ The concept of accountability involves two distinct stages i.e. answerability and enforcement. Answerability refers to the obligation of the government or the public officials to provide information about their decisions and actions. Enforcement suggests that the institution responsible for accountability can sanction the offending party. It means having to suffer penalties imposed for wrong doings.³⁶

Accountability is comprehensive in nature and covers all the activities undertaken by the government. It is the arrangements, which are made for securing conformity between the values of a delegating body and the persons to whom powers and responsibilities are delegated. According to Ghartey, "Accountability is a neutral device and can be better understood in terms of its primary purpose. It determines the best position of an individual or organization in explaining how and why a specific outcome has occurred."³⁷

Accountability includes a number of interrelated internal controls and evaluation attributes which help to determine the goals and objectives of an organization. It is clear after all these that effective accountability refers to some basic elements i.e. public interest, the formulation and implementation of public policy, the role of administrators, political leadership and the exercise of power and authority.

1.3.1 Types & Theories of Accountability

Accountability is a three part predicate. It has three basic layers. People might be held accountable for three things.

- (i) For their actions- whether they are doing/performing duties.
- (ii) For results- outcomes
- (iii) Their intentions- why people did

³⁵ Anwar Shah, *Performance Accountability and combating corruption, Public Sector Governance and Accountability Series* (: Washington DC: World Bank, 2007) available at <http://siteresources.worldbank.org/publicsectorandgovernance/resource/accountability> Visited on January 4, 2012.

³⁶ Ibid

³⁷ A. Younis Talib and M.D. Mustafa Iqbal, *Accountability in Public Management and Administration in Bangladesh*, (U.S.A: Ashgate Publishers, Vermont 2000) 8.

Basically, a person is accountable for actions when it perform/not performs and for results occurred by their actions/non actions and lastly for the intention behind performing a particular action. There are many types of accountability like political, bureaucratic, personal professional, performance, deliberative, corporate and many more.³⁸ In earlier notion of accountability, a servant was accountable to the crown or to the sovereign. While in political accountability, elected officials are accountable to their electorates. In corporate accountability, firm’s manager is accountable towards owner. We can better understand accountability types by this chart.*

Table 1.1: Types, Features, Mechanism and Context of Accountability

| Types of Accountability | Features | Mechanism of Accountability | Context (Structure) |
|--------------------------------|---|--|----------------------------|
| Political Accountability | Democratic, External | Elections Chain of Accountability | Democratic State |
| Bureaucratic Accountability | Hierarchic, Legal | Rules, Regulations, Chains of Supervision | Bureaucracy |
| Personal Accountability | Internal, Normative Moral | Culture, Value Ethics | Collective |
| Professional Accountability | Complex, Deferent to Expertise, Peer-Orientated | Expert Scrutiny, Peer Review, Professional Role | Expert Organization |
| Performance Accountability | Output or Client Oriented | Competitive, Self Regulation | Market |
| Deliberative Accountability | Interactive deliberative, Open, Public | Public Debate, Transparency, Access to Information | Public Sphere |

Here except performance and deliberation accountability all are considered as traditional types of accountability while these two are categorized as new or

³⁸ B. Romzek, “Dynamics of Public Sector Accountability in Era of Reform” , *International Review of Administrative Sciences*, 66, (2000) 21-44.

* TERO ERKKILA, “Governance and Accountability: A Shift in Conceptualization”, *Public Administration Quarterly*, 31, ½, (2007), 8. Elaborated upon innghan 2000, Romzek & Dubnick 1987.

alternative type of accountability. We can describe accountability as horizontal and vertical type accountability.

1. **Vertical Accountability:** Those mechanisms which link citizens directly to the government are referred to as vertical accountability. Elections are a formal channel of vertical accountability. Mean while there are some informal channels include lobbying with the government by citizen's associations, social audit, citizen's report card, citizen's charter, participatory planning and budgeting, participatory performance monitoring.
2. **Horizontal Accountability:** Horizontal accountability occurs when one state actor has authority to demand explanations or impose sanctions on other. These channels of accountability involve public institutions responsible for working/keeping a watch on government agencies like ombudsman, audit department, anticorruption bureau etc.³⁹

In vertical accountability, we can include new or alternative types of accountability. The traditional mechanism of accountability transforms with new dimensions. Vertical accountability includes different mechanism. Conventional forms include social movements, public interest litigation and public hearing. New forms include demand for information disclosure, citizen monitoring and main streaming social audit. These mechanisms are forms of social or public accountability. Public or social accountability is a facet of administrative efficiency. In relation to government there are three definition of 'efficiency'; administrative, policy and service efficiency.

Policy efficiency is related to making the right political decision. While service efficiency is manifested in the effective provision of service to the people, responsive to public opinion and so on. Administrative efficiency comprises of conducting the administration without unnecessary delays or corrupt motives. It encompasses good organization and efficient productivity.⁴⁰ Defining accountability and justifying the need for it is the easy part. Much harder is making it in practice.

³⁹ Anwar Shah, "Performance Accountability and Combating Corruption", in *World Bank Public Sector Governance and Accountability Series* (Washington DC: World Bank, 2007).

⁴⁰ <http://imej.wfu.edu/articles/1999/1/02/demo/glossary/glossoryhtml/efficiency.html>.

John Dunn⁴¹ identifies two main accountability tools (apart from elections): criminal law and the freedom of information regime. The legal option is very limited and can only be utilized when criminal misconduct is suspected. So the option left is freedom of information, which is a mechanism of social accountability.

1.3.2 Social/Public Accountability & Right to Information

It has been assumed that public officials are employers to provides services to ‘beneficiaries’; the people who receive the direct benefit of the service provided. The World Bank’s World Development Report (2004)⁴², “Making Service Work for Poor People” points out that “success full service require relationships in which clients can monitor and discipline providers (client power), citizens can have a strong voice in policy making with politicians and bureaucrats (voice) and policy makers provide the incentives for providers to service clients (compact).”⁴³ The report provides a fantastic example of accountability and relates it with five features. It is as simple as buying a sandwich, “in buying a sandwich you ask for it (delegation) and pay for it (finance). The sandwich is made for you (performance). You eat the sandwich (which generates relevant information about its quality). And you choose to buy or not buy a sandwich another day (enforceability), affecting the profits of the seller.”⁴⁴

The World Bank identifies short route of accountability. By this mechanism, service providers are accountable to clients by providing services. The general route of accountability is very long and takes more time for any type of reforms in governance.

⁴¹ John Dunn, Sustaining Democratic Political Accountability, in A. Przeworks, Stokes, Susanc et al(eds.) *Democracy, Accountability and Representation*,(New York: Cambridge University Press,1999).

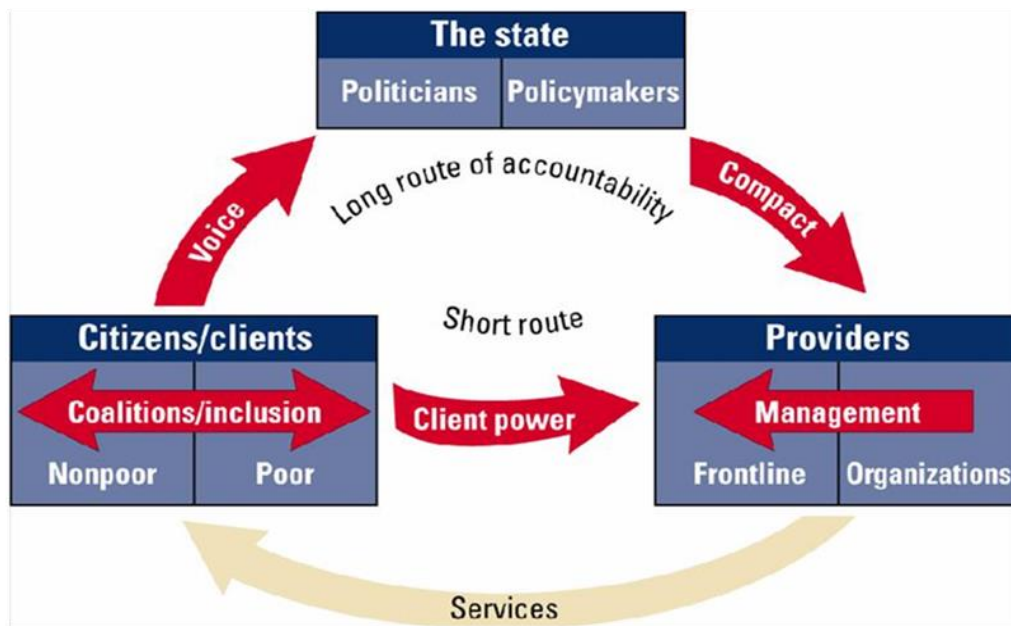
⁴² *The World Bank* ‘WDR 2004: Making Services Work for Poor People’ available at http://wdronline.worldbank.org/worldbank/a/c.html/world_development_report_2004/chapter_overvie w assessed on March 9,2013

⁴³ Ibid

⁴⁴ Ibid

Figure 1.2: Social/Public Accountability model

Social/Public Accountability



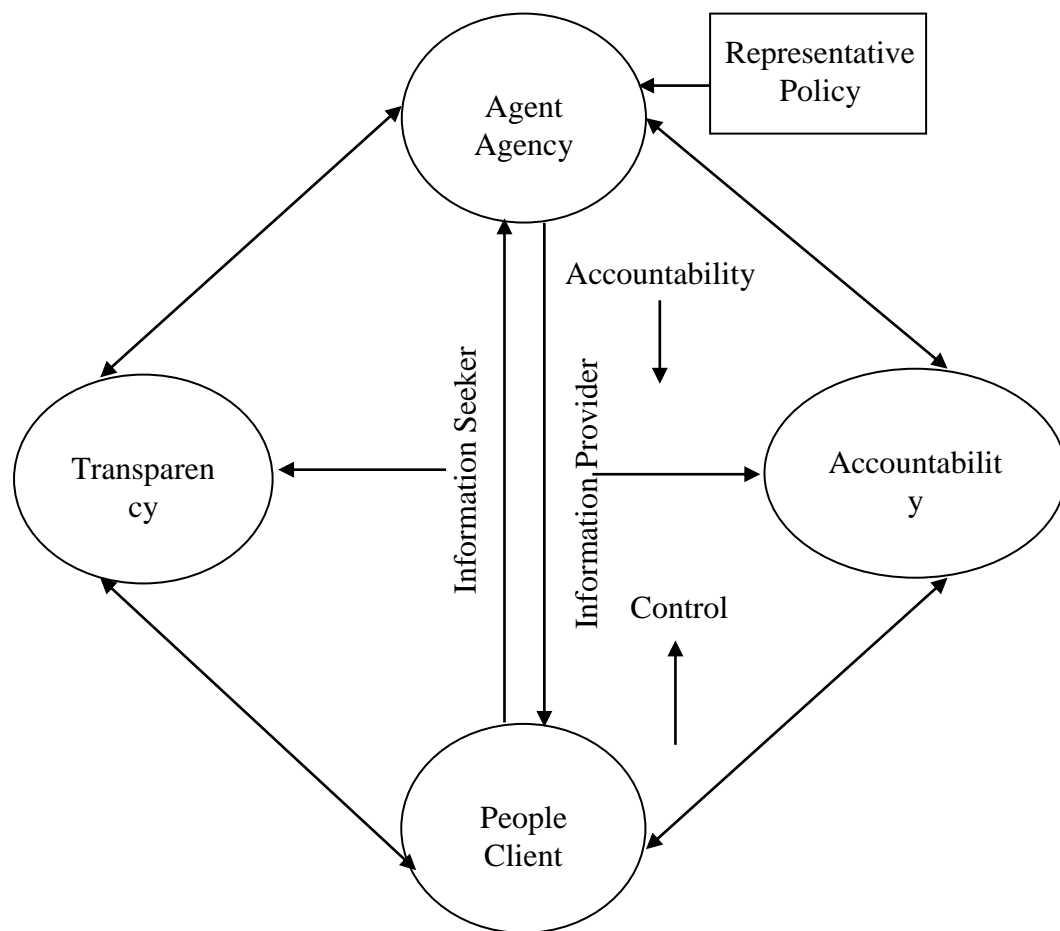
Source: World Bank's, 'WDR 2004: Making Services Work for Poor People'

This report develops beneficiary servant relationship. Regardless of the period, certain rules applied to the beneficiary servant relationship. First, servants in the performance of duties can only serve their own interests to extent that they do not damage the interest of beneficiary and secondly, the beneficiary can supervise their servants to ensure that the servants are performing their duties adequately and acting in the interest of the beneficiary. Accountability of servants is an appropriate mechanism by which the beneficiary may ensure that the contract of service is being met.⁴⁵ In present era, the government is considered as service provider and citizens as beneficiaries or client/customer. Social accountability is a process of engagement with government to check the conduct and performance of public officials and service providers. Right to Information Act, 2005 has also developed a relation of agent and client among service providers (PIOs) and citizens (information seekers).As per provisions of RTI Act, information seekers demand for information from PIOs

⁴⁵ Mark, Adam Lauchs, Rational Avoidance of Accountability by Queensland Governments, (Unpublished Doctoral Thesis) (QUT.2006)

(delegation) and PIOs are designated to provide information(performance). Information seekers pay (not in case of BPL) for seeking information. It develops a relation of consumer and producer. The information provided to information seekers/applicant decides its quality whether it is adequate and provided in the required form as seeking under RTI application. The decision or satisfaction of applicant decide further action regarding appeal or complained. The imposition of penalty or disciplinary action on PIO completes the process of accountability through RTI Act. Present model indicates the process of accountability through RTI.

Figure 1.3: Model of Accountability through RTI in Perspective of Service Providers & Client.⁴⁶



⁴⁶ This model represents mechanism of accountability through RTI Act. Here policy makers only made policies, the execution and service delivery is upon service providers (agent). Here RTI is a tool by which citizens (client) hold officials (agent) accountable through seeking information. This model is developed by Dr. Ajay K.Singh, Head, Center for Federal Studies (Jamia Hamdard University, New Delhi).I sincerely thankful to Dr.Ajay K.Singh sir for developing the model and understanding about the concept.

In the chain of service delivery the World Bank's report distinguished four broad roles: citizens (client), politicians (policymakers), organizational (providers) and frontline (professionals). However, various factors can disrupt these relationships. The legislation and implementation of RTI has direct bearing on how citizens can hold public institutions and service providers accountable. Two forces drive social accountability: Citizen Groups, who are direct beneficiaries and government, which provide the space for citizen participation in governance.⁴⁷ The logo of RTI also indicates a drive to ensure accountability in governance through empowering citizens by providing information by PIOs.

Social accountability is important as it holds the service providing agencies accountable to citizens by providing accessible, affordable and quality service and on the other hand empowers citizens to demand their rights. Thus it is contributive to improved governance increased development effectiveness through better service delivery.

1.4 Review of Literature:

Survey of related literature equips the researcher with adequate information regarding the field in general and the problem in particular. It provides the researcher update information in the concerned field. In the words of Walter R. Brog, "the literature in any field forms the foundation upon which all the future work will be built." If we fail to build this foundation of knowledge provided by the review of literature, our work is likely to be shallow and native. It is necessary that we should know the past of subject. The review of previous literature bridges the gap between new and old knowledge. It is significant for comparative evaluation and interpretation of results capitalizing on the successes and errors of others is certainly a more intelligent approach to a problem. No researcher can think of understanding a study without knowing the contribution of previous works.

In the present section, therefore, review of the studies conducted prior to the present one has been undertaken.

⁴⁷ <http://www.ansa-eap.net/about-us/governance-and-management/strategy/the-four-pillars-of-social-accountability/>

In his article, N. L Mishra (2000)⁴⁸ defines accountability and differ it from the word control. Accountability depends upon the nature of the state whether it is autocratic, it is not accountable to public. The author discussed accountability in government systems and how it can be enforced. For accountability in government, there is a need of suitable environment, decentralization of functions and delegation of powers. To improve accountability first step is systematization of paper movement whether it is in the office or outside or outgoing mails. To improve accountability it is desirable to have separate work chart for each section and for each table. These charts will make the work easy and will alert the concerned officer. The most essential step to improve the accountability is proper check on delays. Having this prerequisites accountability can be improved.

In his article, S.L. Goel (2007)⁴⁹ presents an informative study. The author considers the study of Maharashtra Police. The study is related to the recommendations made by politicians for posting and transfer. The author also considers the views of Second Administrative Reform Commission, which perceives RTI as the key to strengthening participatory democracy. The author also discusses how an access to information can empower the poor and deprived sections. The study flesh some light on utility of information generated through RTI Act and administrative reforms. The author suggests establishing of a research cell to understand the problems faced by the people, the working of schemes, and level of corruption. RTI Act can solve many administrative problems and make a path for reforms. The effective implementation of this Act offers a new culture of openness, accountability and participatory governance. According to author, a single law is not sufficient to improve governance. The author appreciates the work of SARC but in some issues, he did not deliberate on it like appointment of retired persons.

Jayatilak Guha Roy (2007)⁵⁰critically reviews the Second Administrative Reform Commission on RTI in the article. The author presents globalization and liberalization as great tools, which changes the nature of the state and introduce many new concepts like NPM, good governance, citizen's charter etc. The author pointed

⁴⁸N.L. Mishra, "Improving Accountability in Government Systems: A Practical Approach", *Prashasnika*, Vol.27, 2 (2000).

⁴⁹ S.L.Goel, "Right to information and Administrative Reforms", *UPA*, Vol. 53, 3 (2007).

⁵⁰ Jayatilak Guha Roy, "Second Administrative Reform Commission on Right to Information: A critical Review ", *Indian Journal of Public Administration*, Vol. 53, 3 (2007).

out some initiatives started by government for reforms. The second ARC is also one of them. The author reviews the first report of the commission that presents RTI as a master key to good governance. In this article, the author presents the significance of RTI in governance and recommendations made by the second ARC. The author takes accountability and transparency as major aspect of good governance. The RTI helps to ensure good governance because it promotes openness, accountability in administration, empower people to eliminate corruption, bridge the gap between the provider and the recipient. The second ARC report considers four elements for good governance and these are accountability, transparency, predictability and participation. The commission made 21 recommendations. The commission recommends that there should be change in anarchic laws; implementation of RTI should be in effective manner. There should be adequate representation of different sections of the society in State Information Commission. The commission gives recommendation in regard of application as well.

Khendelwal and khendelwal (2007)⁵¹ focused that the right to information has now gathered widespread recognition as a foundation of democracy and a basic human right throughout the world. The right to information act as founded on the idea that public bodies held information not for themselves but on behalf of the public. The greater the access of the responsiveness of government to community needs. They focused on freedom of information in general and explained the right to information in global perspective and in Indian context with its historical background. They are providing guidance to promote an environment for freedom of information.

An article by Prabodh Saxena (2007)⁵² examines the emerging trends of usage of the law and finds the results to be not very encouraging. Indian law is the most 'ambitious' among the access legislations of the world, the closest being the South African information law. In his article, he explains the emerging areas of concern. Most of the information seekers are in fact the one who are supposed to be information provider. The language used by the requesters is at times intemperate and impolitic. The commission introduced certain checks through the backdoor. The

⁵¹ Dheera Khandelwal & Krishna K. Khendwal , *A Commentary and Digest on The Right to Information Act, 2005*, (New Delhi: The Bright Law House, 2007).

⁵² Prabodh Saxena , "The Flip Side of RTI Act", *The Administrator*, Vol.50,(2007).

commission started traveling beyond the literal meaning of the provision of the RTI Act. The commission is taking a view that employees should not have access to file noting dealing with their disciplinary cases. The commission also started attractive remedies. If a normal information procedure and internal mechanism is good enough, resource to RTI Act way not be permissible to check continuous resort to asking same subject again and again in the hope of receiving something suitable, the commission has dismissed few such applications as being frivolous in the article 'The Flip Side of the RTI Act' he explains that recently the commission ruled that the RTI Act has not been enacted to satisfy an individual's curiosity about who did what in a given decision making process. It has emphasized that balance needs to be established between the imperatives of disclosure of a given set of information and the impact of such disclosure on the essential functioning of a public authority.

S.R. Bhansali⁵³, in his book offers a systematic expression of the *Right to Information Act* in the form of a narrative and properly arranged exhaustive commentary under the relevant headings. The book covers the entire development of the law relating to the right to information in India. This book has been divided into five parts. Part I contains commentary on the Central Act, Part II contains the Central and State Rules under the Act, Part III includes the notifications issued under the Act, Part IV covers related laws and important provisions of the relevant Acts and Rules and Part V includes the State Laws on the Right to Information. The commentary of each section of the Act throws light on the subject from different angles. Another unique feature of the book is that there is a synopsis given under each section and all the important decisions delivered by the Supreme Court have been included in it. It is indeed a scholarly exposition on the subject. Nevertheless the author could have added a chapter on the international developments that have impacted upon the growth of this particular law in India.

An article written by Manu Moudgil (2008)⁵⁴ talks of the RTI Act being a potent weapon against red tape. However, Moudgil goes on to state that though its awareness is rising, certain bottlenecks still remain. The writer maintains that the RTI Act has helped many a social cause, ensuring transparency and accountability in the

⁵³ S.R Bhansali, *Right to Information Act*, 2005(Jodhpur: India Publishing House, 2008).

⁵⁴Manu Moudgil, "RTI Act: Mired in Red Tape", *The Hindustan Times*, January 30, 2008.

officialdom, however, though awareness of its strengths has crept in, activists hope for a better response from the authorities that favor curtailing its potency. It cites ignorance among information officers of the provisions of the Act, inordinate delays in hearing of pleas by Information Commissions and appointment of bureaucrats as Information officers are some of the contentious areas. It also goes on to say that the information commission also does not have any legal binding to dispose of second appeals and complaints within a specific time period.

N. Vittal (2008)⁵⁵ gave some ideas for better governance through accountability and transparency. The author thinks that it is the great achievement that India has been a real functioning democracy since independence. According to the author, today we need Sardar Patel's pure pragmatism, vision and sixth sense to tackle or solve the problems and to improve the quality of governance. After independence, we have achieved some positive developments but in some areas, we are lagging. These areas are human development, competitiveness on global economic front and thirdly corruption. These three encompass a direct relation with governance. After independence, the role of legislature and executive has changed. The author explains the dynamics of governance before and after independence. The author thinks that the concept of rule of law and depoliticized bureaucracy is essential for better governance. According to the author, prevailing culture of corruption is major factor against good governance. The author gave some basic reasons, which flourishes corruption and present three-point plan to eliminate it. The author takes accountability as an instrument for good governance. Accountability can be built by providing quick reward and punishment. For accountable and transparent governance, we have to change the mindset of the people. According to the author citizen's charter, freedom of information Act, use of information technology is helpful in building a culture of accountability. In this article the author, present some ideas by which the objectives of better governance can be achieved.

S.K. Kataria's (2009)⁵⁶ article titled, "Role of RTI in Reforming the Indian Administration" is an informative article. The author connects administrative reforms

⁵⁵ N. Vittal, "Better Governance through Accountability and Transparency" in *Governance and Reforms*, eds. Kanta Ahuja and A.K. Ogha (Jaipur: Aalekh Publishers, 2008).

⁵⁶ S K Kataria, "Role of RTI in Reforming the Indian Administration", *The Indian Journal of Public Administration*, Vol.LV, No.3, (2009).

to RTI. It is a tool for administrative reforms. The author gives a look on present scenario of Indian administration. Indian administration is full of weaknesses like corruption, red tapism, lust of power, inactiveness, egoism, irresponsible attitude and so on. There is a need of structural, legal, procedural and behavioral changes and RTI is a major tool for this. The aim of administrative reforms is good governance and accountability, transparency, efficiency and effectiveness are some parameters of good governance. The author takes information as an important part of new generation. For changing, the traditional face of bureaucracy and old images that information must be disclosed to public. The author cited many statements in regard of good governance and administration. With this, the author discussed the concept of good governance in its historical perspective. RTI plays a vital role in ensuring good governance. It is RTI, which forced administrative machinery to respond. It is helpful in bringing administrative reforms. The officials are keeping their records updated by RTI. To avoid red tapism, the Act ensures maximum time limit to provide required information. It brings transparency, politeness and accountability in administration. The author considers Second Administrative Reforms Commission issues. The commission's report comprises many recommendations. The author concludes with that the RTI Act empowered the citizens but what to do with the available information because the internal machinery has not been changed. There is not a prepared solution to make civil servants accountable. To ensure accountability in administration a modified law can be enacted on the lines of J&K accountability Act. RTI is playing a great role but there is a need of revolution in this regard.

G. Palanithurai (2009)⁵⁷ presents an analytical study of Tamil Nadu state. The author takes state as an owner of development. It is expected, that state have to withdraw from various areas and provide space to the people. RTI present new hope in this area. It is a tool to empower citizens to claim their entitlement. The author presents the problem and scope in handling RTI at grass root level. The study try to analyze to what extent the RTI helps the poor to get their entitlements, to what extent the PRI leaders are aware about it and how they are using it. In the same, how many of the poor are aware of their entitlements. According to author, the development and

⁵⁷ G Palanithurai., "Problems and Scope in handling RTI from grass root perspective", *The Indian Journal of Public Administration*, Vol. LV, No..3, 2009.

prosperity of any area are to be decided by the state. The new thrust on development with openness has nourished fresh hopes. RTI Act has come as a ray of hope for them. The author takes the study of Tamil Nadu where 430 welfare schemes implementing. The study examines that whether these people are aware of those schemes and how are they administered. The author used group discussion with panchayat leaders, farmers, SC, OBC students and women as primary source. The discussions were based on RTI awareness, awareness of schemes/ programs. Are they using RTI to get details? If they got information what do, they do with the information. The study area was Karisalpatti gram panchayat because it has award for its outstanding performance. The author find out that, the villagers are not aware of RTI. Panchayat leaders are little aware about its provisions but they are not in position to use it. If they use it, the officials will treat them like enemies. The villagers are aware of those schemes, which have a cash amount. Departments are not taking interest to encourage people for the use of RTI. Information about all programs and schemes is available to party man or broker. The author gave suggestions to improve the condition of RTI at grass root level. All information should disseminated by gram sabha. RTI is the outcome of active mobilization of people so in every panchayat there should be at least one activist group to activate and mobilize people. Support structure should develop to enable people to use the RTI.

N.S.Gehlot (2009)⁵⁸ stated that enactment of a law is not sufficient. It should be implemented with strong belief. The enactment of RTI has a big history. The role of MKSS has a great immense in this regard. After the enactment of this law, it was meant that it would ensure transparency and accountability in the working of governance. With the implementation of RTI, the author discussed the role of Chief Information Commissioner (CIC) and discusses whether all the sections of the Act are implemented? The author stated that except J&K most of the states were not agree with section-4 of the Act that makes compulsory suo-moto disclosure of information about the functioning of the administration. The author describes the result of a study conducted by an NGO that hardly few states have put up the RTI in operation sincerely. Due to all this RTI has not been able to work as watchdog. The author concludes his article with some suggestions to strengthen the Act. RTI has not

⁵⁸ N S Gehlot, "Right to Information ACT: A Review of its implementation", *UPA*, Vol. 55, 3, (2009).

reached to the rural areas. There is a need of humanity and sensitivity in bureaucracy and need of some modification in the law/Act. Public awareness and people's involvement is also needed in this context. There should be a provision in the act that people gave reasons for seeking information. The CIC has proposed E-Administration. It provides a ray of hope in case of missing files.

M.M. Ansari (2009)⁵⁹ presents an analytical as well as an informative study. The author stated that RTI promotes peoples participation and strengthen democracy. Every society has made efforts for democratizing knowledge. Before the enactment of the act an ordinary person has no access to information and decision making process. The author explains freedom of speech and official secret Act. He explains the culture of secrecy before and after independence and the reason behind it. The author analyze whether the objective of the Act are being realized. His assessment is based on RTI requesters and activists, media reports related to RTI matters, preliminary research studies and published result mainly related to corruption and accountability. The assessment is made on stated objective of RTI Act in its preamble. The study analyzes the objectives of RTI and its link with good governance in four terms: greater transparency, promotion of citizen government partnerships, greater accountability and reduction in corruption. The study explains different section of the Act regarding transparency. The information seekers and NGOs have put pressure on public authorities for promoting the culture of openness in government functioning. RTI applications have increased 8-10 times due to perceived benefits of transparency and accountability. After the implementation of RTI, there is greater transparency in public bodies. It is helpful in disclosure of vital information and promotion of citizen government partnership. Before the implementation of the Act, it was not possible but now it is the right of every person to know how government works, what are their decisions, how they affect us and what is the reason behind these decisions. The author gives many instances of disclosure of information that increase governmental accountability in delivery of services. The author pointed out the survey of transparency international that in the opinion of 40 % of respondents that corruption and malpractice in implementation of poverty alleviation program have declined due

⁵⁹ M.M. Ansari, "Right to Information and its relationship to Good Governance" *Prashasnika*, Vol.36, 1-2(2009).

to RTI. According to the Act a reply is to be given within thirty days, disputes have resolved faster and appeals in the court has substantially declined which shows a strong and positive impact of RTI on transparency and accountability of the government. According to the author, culture of secrecy increases and encourages corruption. However, due to RTI regime, there is an unprecedented transparency in public departments. The Author connects RTI with development as well. RTI is a significant bearing on good governance and development. RTI enables the people to participate in the process of development, which will helpful in reduction of corruption. The author suggested some measures to strengthen the RTI regime such as all development projects should allow objective scrutiny to incorporate transparency and accountability. The government should develop the capacities for access to information for this mass awareness should be made among the people and a comprehensive information management system should be developed. There should be democratization of information and knowledge resources.

In his article, Jain & Jain (2009)⁶⁰ explains RTI in context of e-governance. This is an informative study. The author presents RTI as a big administrative reformer and e-governance as a tool, which sharpen the speed to reach RTI. Accountability, transparency and authenticity are the basic and essential features for good governance. In his article, the author describes national level initiatives for RTI and e governance. The author explains three main initiatives at national level. The information commission strengthens their IT and technical capability. RTI request and appeals are required to be disposed off in a time bound. E- Districts are also one of the national initiatives. In the article, the author recognizes the study of Himachal Pradesh. The study area is Palamour and Kullu districts, where RTI centre, public information koisk, e-court with integrated case filling and monitoring system were started. In Kullu E-Soochna koisk and public information boards are used to provide information to mass. In the article the author make an inter relationship between RTI and e-governance. Modern information and communication technologies permit the sharing of information and knowledge. The aim of e governance and RTI is same to make interaction between government agencies and citizens to make governance more

⁶⁰ Abhishek and Aarushi Jain, "Promoting Right to Information through E-Governance: A case of E-soochna and Other Initiatives in H.P", *UPA*, Vol.55, 1 (2009).

accountable. In the given study the author, make some suggestions for enhancing the efficacy of RTI through E-Governance. Computerization of all records, installation of window in suvidha centers where any request for information can be accepted. Information commission should develop a national portal for RTI. To strengthen search capability, a digital library on RTI may be developed. A national resource centre on RTI may be established. The author concludes article and stated that democracy required transparency and accountability in governance. RTI creates big opportunities for citizens. Different efforts have made at national and state level to implement RTI. RTI and e-governance provides hassle free information to the citizens and empowers the democracy at grass root level.

In his article A.P. Saxena (2009)⁶¹ explains the role of RTI Act towards good governance and to become responsible and accountable. The specific objective of RTI Act is setting up a practiced regime for citizens to secure access to information relating to public activities to provide transparency and accountability in the working of every public authority. The outline of RTI gives a brief overview of the potential and expectations from the legislation. He stated many examples in this regard. He explains some sections of the Act, which make the governance responsible for their work. He explained that RTI opens the door of governance by procedural or by systemic. He stated Delhi MCD example, NREGA example and north central railway example. According to author RTI should linked to government programs. In coming time the major focus of government would be reform of governance and that will directed to enhance the goals of equity and accountability. He cited Present's speech in this regard. The main concern is about reforms. In next five years, it will change as an avatar to help citizens to challenge the data and to push them to engage or participate directly in governance reforms.

Niraj Kumar (2009)⁶² in his book provides a comprehensive analysis of RTI in India as well as over the world. The book has been written in a simple and a lucid style and is easy to comprehend. It has been divided into fifteen parts (A-O) including introduction, the right to information Act, important issues decided by information commission, Supreme Court on right to information, High Courts on right to

⁶¹ A.P Saxena, "Right to information Act: Towards Good Governance", *Prashasnika*, Vol. 36, 1-2 (2009).

⁶²Niraj Kumar, *Treatise on Right to Information Act*, 2005, (New Delhi: Bharat Law House, 2009).

information, some leading RTI cases world over, important circular/notifications on RTI, other related laws, allied Acts and rules, international conventions and declarations, reports and guidelines, and the state laws/rules and notifications on right to information. The book is very informative as the central as well as all the state laws on the subject are available for quick reference. The work has indeed a masterpiece, had all the parts been commented upon by the learned author.

In his article, Singh & Jain (2009)⁶³ presents an empirical cum normative study of RTI Act in Himachal Pradesh. The author studied implementation of RTI Act in different public authorities in Himachal Pradesh. The author takes RTI as a foundation stone upon which the building of good governance could be built. It is the pre requisition for other rights. It promotes accountability and transparency in governance, which are the main factors for good governance. The author discussed the current conclusion or scenario of the Act. The Act shares information in two ways i.e. pro active disclosure and re active disclosure. The study also discussed the significance of RTI and some constraints as well. In his study the author, evaluate the implementation of the Act based on actual data and information. The author evaluates the implementation in the sense of section-4(I) (b) of the Act i.e. to publish information and update it. The author studied that in 2007,158 public authorities had published the information. In 2007-08, 118 public authorities received 10105 applications. The state information commission received 159 appeals. Deputy Commissioner has prepared an initiative of voluntary disclosure (a suo motu disclosure) and that has been put on the website and available for public access. It shows that RTI is effectively implemented in Himachal Pradesh. The author find out some constraints in implementation of RTI Act, which will, not helpful in attaining the high objectives of the Act. Some of them are vested or impure interest of the applicants, impolite and temperate language of the requesters, procedure to file an application and limited mode of payment of fees. For the effective implementation of the Act the author, suggest some measures. Government should make adequate budget for public awareness programs on RTI Act. The PIOs should be given special funds for expenditure under RTI Act. There is a need of special post for PIOs and

⁶³ Shiv Raj Singh & Aarushi Jain, "The Dynamics of RTI Act and its Implementation in Himachal Pradesh", *UPA*, Vol.55, 3 (2009).

APIOs, which deal with RTI only. There should be a coordination of activities in state and central information commission. The author concludes that RTI Act marks a sign in our progress towards open and transparent governance. The proverb that knowledge is power becomes truth after it.

In his article, Ahmad Shamshad (2009)⁶⁴ presents a normative study. In his study, the author discussed the need, composition and exemption of RTI Act. The author also discussed RTI in context of good governance, administrative efficiency, and public accountability. According to the author, lack of transparency and secrecy mode makes difficult to hold public servants accountable. If people have great access to information, there will be great chances of government responsiveness to the community. In his article, the author explains some features or parameter of good governance. Some of them are established legal framework, bureaucratic accountability, freedom of information and expression, cooperation between government and civil society. Government is for the people, so there should be open and accountable to the people. RTI is the basic requisition for good governance and key to strengthening participatory democracy. The traditional concept of secret and invisible government has become obsolete in the age of liberalization and globalization. RTI is the master key to good governance and it help to promote openness, accountability and transparency. It empowers citizens and strengthens the foundation of democracy at grass root level. According to the author, good governance is associated with efficiency. Efficiency of governance measured in context of policy, service and administrative efficiency. In administrative efficiency, public accountability is a facet. If people have an access to information it shows a reduction in indicators of corruption and there will be an automatic increase in administrative efficiency and accountability. The main observation of the author is that the importance of RTI lies in its role in ensuring democratic accountability. Most of the countries introduced information related laws and tries to replace 'the culture of secrecy' to 'the culture of openness'. RTI is essential to promote a culture of accountability. Accountability targets malpractice, mismanagement, corruption, delays and misuse of discretion etc. RTI is revolutionary and provides open surgery of

⁶⁴ Shamshad Ahmad, "Right to Information: Issues of Administrative efficiency, Public Accountability and Good Governance in India", *Indian Journal of Public Administration*, Vol. 55, 3 (2009).

administration. Without good governance, no amount of development schemes can take place. Transparency, accountability, predictability and participation are the elements of good governance. All these elements come into force through Right to Information. In a basic sense RTI is the necessity of good governance.

Bharat Dogra (2009)⁶⁵ focused that the RTI campaign has been initiated from Mazdoor Kishan Shakthi Sangthan from Rajasthan. The MKSS experiments in social work started in 1987-88 when three social activities course to live in a hut in Devdungri village of Rajsamand. This group included Aruna Roy former I.A.S. It has worked in six tehsils of Rajasthan. The MKSS has been the foremost organization at the national level in raising the demand for right to information at grass roots level and is using this right effectively to fight corruption and to enhance democratic participation of ordinary people in development activities Jan Sunwai and RTI can be very useful in fighting corruption as well as in securing the close involvement of people in protecting their rights as symbolized by the slogan of "Hamara Paisa, Hamara Hisab". In the recent paper 'Public hearing: Why and How' MKSS has defined some objectives such as reclaiming development, fighting corruption and building democracy and the weapon of all those will be Jan Sunwai.

In his article, Panachand Jain⁶⁶ focused that the Indian RTI has mixture of many sources. The source of RTI may be traced from 'Rig Veda', which suggests, "Let noble thoughts come from all directions". The United Nations declaration (1948), the general conference of UNESCO (1966) adopted that the exercise of freedom of opinion, expression and information is a vital factor in the strengthening of peace and international understanding. Justice Panachand Jain focused that before the enactment of RTI there are so many decisions of the court who gave direction and the path to RTI. RTI is based on the right given under Article 19(1) (a) of the constitution of India and it is exercised against a public authority or an instrumentality or agency of the state or govt. companies in which the state has pervasive financial interest. The right cannot be exercised against financial private parties, i.e. companies, public schools, societies etc. Information may be sought from them in the judicial proceeding by invoking the provisions of production of documents, discovery or by serving

⁶⁵ Bharat Dogra, "Right to Information in Rajasthan", *Prashasnika*, Vol. 36, 1-2(2009).

⁶⁶ Panachand Jain, "Let Noble Thoughts Come from All Directions", *Prashasnika*, Vol. 36, 1-2(2009).

interrogation etc. The NGOs, social group should active participate in general awareness programmers about RTI. The awareness in rural areas is very poor and the quality of awareness is very poor. RTI is a human right and information is life. Thus, more and more peoples should be aware about it.

Rakesh Shrivastva (2010) presents an informative article. In this article, the author defines good governance, identifies political and administrative aspects of good governance, its different characteristics, RTI and accountability, different measures needed for good governance. In traditional form, governance means the manner and form of political system and the power exercised by them. The process of decision making and its implementation is known as governance. If there is an effective and efficient administration, it is known as good governance. It covers various organization and structure of government. The author defines different aspects of good governance as identified by World Bank. The author explains a major characteristic of good governance. RTI is an important factor for this. It provides openness and transparency in the functioning of government. RTI is necessary because it makes administration more accountable, it provides better delivery of services to the peoples, and it increase people's participation and upholds the democratic ideology. In the end the author, suggest some measures needed for good governance. Some of them are socio economic development of the people, more caring and responsive government, empowerment of women, participation of people, an annual report published by the departments , disposal of cases and generate awareness about their rights and citizen charter are few of them. The combination of citizen charter and RTI would ensure accountability in administrative system.

An Article written by N. Bhaskara Rao (2010)⁶⁷ spoke about the Fifth Annual Convention on the RTI that was held in New Delhi on September 13 and 14. Besides other things, it highlighted the fact that even after five years after the enactment of the RTI Act, awareness of the law, its provisions and potential appear to be very low. Though the Convention addressed the important concerns, yet certain issues escaped the attention of the experts gathered. For instance, the Convention failed to note that women in sufficient numbers are not taking advantage of the provisions of the RTI Act, or what steps could be taken to correct the situation. It also failed to look at why

⁶⁷ N. Bhaskara Rao, "Information as a Right" *The Hindu*, December 25, 2010.

the academic community has not been taking a real interest in studying the impact of the RTI Act and in promoting it. Also, there was no evidence of annual reports of Information Commissions in these four years ever having been discussed in parliament or in State Assemblies.

Padma Rani (2010)⁶⁸ in her article discussed salient features of the act with the help of some cases in different areas and how it expose and bring accountability. The RTI Act derives from three basis sources. First one is in Article 19(freedom of speech and expression), second is Indian democracy and third one is its logical base. Citizens pay taxes and they have right to know how their money is being spent, by whom, when and where is being spent. The author gave a brief history of RTI from the attempt of MKSS, draft bill by P.B. Sawant, H.D. Shouri working to the enactment of the act. The basic objective of the Act is to give effect to the fundamental right to information, to establish mandatory mechanism and promote accountability, transparency and effective governance. To analyze and understand its effectiveness and use, the author stated some sample cases regarding awareness, delivery of services, disclosure of frauds, unnecessary expenditure and use of RTI in different schemes and different departments. The author also discusses some steps taken to promote RTI such as appointment of transparency officer, acceptance of RTI applications sympathetically (which are without fee).Effective implementation of the RTI Act will make governance transparent and useful for people. It would strengthen the democracy and build a fair society.

P. Chandra Sekhar (2010)⁶⁹ takes RTI as a tool to strengthen participatory democracy. The free flow of information can help to strengthen and to form a democratic society. Access to information is a great step in insuring transparency and if the government is transparent, it implies accountability. The author gives a brief history of RTI act. RTI was first started in Sweden in 1766 and U.S. first enacted its law in 1996. In 2010, more than 85 countries have RTI laws. In India, right to freedom of speech and expression and right to life are considered as a part of RTI. In section-74 to 78 of the Indian Evidence Act, 1872 gave right to know about the

⁶⁸ Padma Rani, "Right to Information as a tool to Promote and Strengthen the Democracy", *Global Media Journal*, winter issue, (2010)

⁶⁹ P. Chandra Sekhar, "Right to Information in Strengthening Participatory democracy", *Global Media Journal*, winter Issue, (2010).

contents of the public documents and in section-70 of this Act there is a provision to provide copies of public documents on public demand. RTI Act is a tool to ensure transparency and accountability in the working of governance. Now a citizen can get information. This has paved the way for good governance. RTI mandate every public authority to maintain all records and promote disclosure through publication as well as internet. The disclosure of information paved a way of transparency in the governance. To ensure accountability the author gives the provision of RTI Act as to seek explanation about decision making process, how the government works and how a particular decision have been taken place. All this affect the delivery of socio economic services. RTI is also helpful to ensure participatory citizen government partnership.

Kataria (2010)⁷⁰ focused that information is the currency and organ of democracy. No one can enjoy his or her right to expression without having accessibility with the public authorities. The free flow of information and ideas ensures success of democratic values, are directly interrelated with the concept of welfare state and its functions cum instrumental setup. The movement towards freedom of information or right to access information has been people's struggle for good government. In fact, it has become the right to tight the administration. The author holds that the right to information Act, 2005 is being considered magna-carta of common person of the country.

Rajbir Singh Dalal's (2011)⁷¹ article is a thought provoking article in context of RTI and good governance in India. In his article, the author presents the concept of good governance, its emergence, parameters of good governance and evolution of good governance in India. It is universally accepted that good governance is the need of time. In context of third world countries, it is essential that old pattern of administration and culture should be replaced with development-centered administration. The concept of good governance has been coined by World Bank in 1989. It has been linked to the problem of sound development in the third world countries. It was also associated with aid condition by World Bank. They had noticed

⁷⁰ S.K Kataria, *Right to Information Lessons and Implications*, (New Delhi: National Publishing House, Vol. XII, 2010).

⁷¹ Rajbir Singh Dalal, "The Conceptual Dimensions of Good Governance", *Prashasika*, Vol. 39, 1(2011).

that aid projects had not produced desired outcomes due to lack of transparency and accountability. The emergence of new paradigm in administration is the result of World Bank. The World Bank identifies the parameters of good governance. The governance will become good when it includes transparency, predictability, participation and accountability. RTI Act and good governance are the two sides of a coin. They are supplementary to each other. RTI ensures transparency, accountability and participation. It has created a panic in bureaucracy and forced them to get the ingredients of good governance. Except the section-8's exemptions, there is no one activity, which is out of the reach of RTI Act. There is no doubt that RTI Act is a good effort in the direction of good governance but many people are aware of it, how many of them are exercising it and for what purpose they are seeking information. To get optimum result there is a need of strengthen democratic institutions and awareness about their rights and responsibilities. In his suggestions, the author suggests that voters should also be active, capacity building measures should be given due consideration by arranging training, orientation and refresher course for PIO's, APIO's, public functionaries and for peoples as well. The author hoped that RTI would become a milestone in execution of the concept of good governance in India. It will be helpful to empower citizens and provide transparent, accountable and responsive governance.

1.5 Statement of the Problem

The Right to information Act was enacted in 2005. Now that the Act has been existence for last more than four and half year, one of the intended objectives behind enactment of RTI was to promote accountability and transparency in governance. Present study is an endeavor to know whether this objective stands achieve or not and if yes to what extent. Bhiwani district in Haryana has been chosen to test the above hypothesis. It is high time to examine how effectively it has ensures transparency and accountability in governance. The investigator prefers to study the effectiveness of the RTI Act in Bhiwani district of Haryana state. The problem under study may be stated as:

Accountability in Governance through RTI Act: A Case Study of Bhiwani District in Haryana.

1.6 Objectives

1. To know the level of awareness of information seekers of Bhiwani district of Haryana about the provisions of the RTI Act.
2. To know whether applications and appeals (First Appeal) received under RTI Act are disposed off within the specified time frame.
3. To know whether the Public Authorities in Bhiwani district of Haryana are fulfilling the requirement of suo moto disclosure of information under RTI.
4. To know whether the information furnished under RTI Act to the information seekers of Bhiwani district is relevant.
5. To know whether the information seekers/appellants under RTI Act faced difficulties at the respective level.
6. To know whether the SPIOs of Public Authorities located in Bhiwani district get timely and adequate inputs from their colleagues for providing information under RTI Act.
7. To know whether SPIOs of Public Authorities of Bhiwani district work independently of their official hierarchic in matters of providing information under the Act.
8. To know whether the public authority furnish annual reports about the status of RTI applications in their respective authorities to the CIC/SIC as the case may.
9. To know whether implementation of RTI Act as resulted in improvement in record keeping and service delivery and whether PIO wants to make fundamental changes in record keeping.

1.7 Hypotheses

1. Information seekers are not aware about the provisions of the RTI Act.
2. The applications/appeals received under RTI Act are not disposed off within in the specified time frame.
3. Public Authorities are not fulfilling the requirement of suo moto disclosure of information under RTI Act.

4. The Public Authorities do not furnish relevant information to the information seekers under RTI Act.
5. The information seekers/appellants under RTI Act faced difficulties at respective levels.
6. The SPIOs do not get adequate assistance from colleagues in furnishing information under RTI Act.
7. The PIOs do not work independently of their official hierarchic in matters of providing information under RTI Act.
8. The Public Authorities do not furnish annual report about status of RTI in their respective authorities under RTI Act.
9. The implementation of RTI Act is not resulted in record keeping and service delivery.

1.8 Study Area

The study area of the researcher is Bhiwani district of Haryana. Area of Bhiwani district is 4778 Km and population is 1629109⁷² and comprises maximum blocks (ten). It is bounded on the North by Hisar, on the East by Rohtak and Jhajjar district and on the South by Mohindergarh district and on the West by Jhunjhunu district of Rajasthan. So, the present case study is of the largest district of Haryana.

1.9 Research Methodology

Present study is a case study conducted in the Bhiwani district of Haryana state. It has been an empirical study. Both primary and secondary data has been used in the study. Primary data is generated with the help of interview schedules. Keeping in view the vast number of applicants seeking information under RTI, the researcher studied the applications under RTI Act, addressed to the five public authorities(PAs) only viz. Education, Health, Police, Electricity and Food & Supplies departments located in this district. The researcher take probability sampling for information seekers because the units are widely scattered and each element have an equal chance of being selected. The researcher use random sampling to take sample of State Public Information Officers (SPIOs). The data collected from 200 applicants (15%

⁷²“ Statistical Abstract Haryana 2011-12”, Department of Economic and Statistical Analysis Haryana <http://www.esaharyana.gov.in> visited on May 5, 2013

PAs-wise) of the year 2011-12 and all SPIOs at district level and division level of the selected PAs. Both the primary and secondary data comprise in the study. For obtaining aggregate data, secondary sources has been used and the data has been obtained from the government publications, reports published by the Central Information Commission (CIC)/ State Information Commission (SIC), from PAs of Bhiwani district through RTI applications, articles and studies published in the research journals, published and research works and other relevant published material. For obtaining primary data, two sets of interview schedule has been prepared; one administered to the applicants under RTI Act in Bhiwani district while the other administered to the SPIOs of selected PAs located in Bhiwani district. The interview schedules are annexed in Annexure-1 and Annexure-2. The data so obtained has been systematized, tabulated and analyzed with the help of percentage method. Along with this the researcher has prepared some case studies of the respondents of the selected departments with the help of documents provided by concerned departments and personal experiences of the respondents.