

Chapter -1

Introduction

Man is a social animal. He cannot live in isolation. In the early age of civilization man lived in groups called '*Kabilas*'. As time passed, population increased and state came into existence. The idea of right is as old as the state itself. It is the idea of right that differentiates human being from the animal world where the rule, 'might is right prevails'. Therefore one cannot live without some basic rights. For the survival, growth and development, individuals need rights. Today we live in a democratic age. Democracy has become the most common form of government. Today most of the countries claim themselves as the follower of democracy. Democracy is such a form of government in which the government is 'of the people, for the people and by the people.' By 1900 not a single country was democratic in both philosophy and praxis. Today, we consider democracy: a government in which every adult citizen has the right to vote. But today 119 countries more than half (62%) countries of the world are democracies.¹ The idea of democracy is not new. The roots of democracy can be traced in ancient Greeks. In Athens people directly participated in decision making process for their own affairs.² But at that time the right to vote is only for handful persons. Now on the one hand population is increased so rapidly and on the other hand the feeling nationalism and the role of nation state has been strengthened day-by-day. The idea of direct democracy does not go with the requirements of modern nation –states which can only be governed by representative or direct democracy.³ Direct democracy is not possible in nation-states having large population. So most of the countries have adopted indirect or representative form of democracy in which government is run by the representatives of the people. Today democracy is not just a form of government but it has become a way of life.⁴ It is undisputed fact that a democratic government is open government with no space for secrecy. All democracies claim to provide an egalitarian environment to its citizens for their all-around development. This task can be achieved with transparency, openness, accountability and maximum participation of people in governance. Access of

¹Dr. Chaubey, Manish Kumar, "Right to Information Various Dimensions", Regal Publication, New Delhi, 2012, p.136.

²Bhambhari, Chander Prakash, "Democracy in India", National Book Trust, India, 2008, p.1.

³Ibid p.1.

⁴Dr. Chaubey, Manish Kumar, op.cit., p.137.

information to the citizens is the only way to promote openness, accountability and transparency in the government.⁵ The idea of equal participation of all citizens in the government is also promoted by great Greek philosopher- Aristotle:-

“If liberty and equality, as is thought by some are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost”

Rights are very important to secure identity of man and to promote human grace. One can think or demand for rights only in democracy. The roots of democracy can be traced in ancient Greek. The word ‘Democracy’ is the combination of two Greek word ‘demos’ meaning “the people” and ‘kratein’ meaning “to rule”.⁶ So the word ‘democracy’ literally means “rule by the people.” The term ‘democracy’ first used by ancient Greek political and philosophical thinkers. In ancient city-states, democracy prevails in the form of direct democracy. Every man was a life-long member of decision making body except women and slaves.⁷ But in middle age the form of democracy is different as it was in ancient age. In middle age the idea of equality was evolved according to this idea all men are equal in the eyes of God. In this age another system of government was developed called feudalism. Feudalism believed that all men have certain rights and created a system of courts to protect those rights.⁸The American Revolution is turning point in the history of Democracy. In America,the Declaration of Independence was a great document written by Thomas Jefferson and having the ideas of different philosophers. Jefferson borrowed two ideas from Locke, one was all men are equal and second was “the right to life, liberty and the pursuit of happiness”.The idea to protest against government and the idea that freedom comes with the separation of power were taken from the writings of Montesquieu, Voltaire and Rousseau.⁹ With these ideas a partially democratic system evolved inAmerica. After The World War II, many newly independent countries adopted a democratic form of government where India emerged as the largest democracy of the world and continues to be so. The form of democracy is being considered as the best form of government among the available forms of government in the world because in it

⁵Justice A.H. Saikia, “The Right to Information Act, 2005 an Instrument to Strengthen Democracy” Guwahati Law Times, Vol. 1, 2006

⁶ Dr. Chaubey, Manish Kumar, op.cit., p. 139

⁷ Ibid, p. 139

⁸ Ibid, p. 141

⁹ Ibid, p. 144

people enjoy rights. Rights are the oxygen for any democracy. Even the most disadvantaged section of the society can claim rights in a democratic government. A true democratic government must focus on promotion and protection of human rights without this protection there can be no democracy in real sense. This idea is also promoted by Mahatma Gandhi¹⁰ :-

“My notion of democracy is that under it the weakest should have the same opportunity as the strongest”

A democracy is nothing without rights. Rights can be of two types, viz. Fundamental Rights and Legal Rights. Fundamental rights are given more importance than legal rights and can only be altered through amendments in the constitution. Every country gives some fundamental rights to its citizens. Indian constitution provides six^{*1} fundamental rights in the Part III of the Constitution from Article 12 to 35. The Fundamental Rights, given in Article 15, 16, 19, and 30 are only for Indian citizens and rest of the Fundamental Rights can be enjoyed by every person who is on the soil of India.¹¹ Six fundamental rights in Indian Constitution are as follows

Article 14 of the Indian constitution gives right to equality. It states that there should be equal protection of the laws within the territory of India.¹² Article 15 of the Indian constitution states that there should be no discrimination on the basis of religion, race, caste, sex and place of birth¹³ Article 16 of the Indian Constitution is about the equality of opportunity in the matters of public employment.¹⁴ Article 17 and 18 is about abolition of untouchability and titles respectively.¹⁵ Article 19 of the Indian Constitution gives right to freedom. Art.19 (1) (a) to Art.19 (1) (g) gives protection of certain rights like freedom of speech, right to assemble peacefully, freedom to form association, freedom to move freely and to participate in any profession respectively.¹⁶ Article 20 of the Indian Constitution is about protection in respect of

¹⁰<http://www.parliamentarystrengthening.org/humanrightsmodule/pdf/humanrightsunit2.pdf>

^{*1} Indian constitution originally provided seven fundamental rights; Right to Property provided in Article 31 of The Indian Constitution removed from the list of Fundamental Rights by Forty-fourth Constitutional Amendment Act. Right to Property is merely a legal right.

¹¹Basu, D.D., “Introduction to the Constitution of India”, Lexis Nexis Butterworth Wadhwa, Nagpur, 2008, p.86.

¹²<http://lawmin.nic.in/coi/coiason29july08.pdf> The Constitution of India

¹³ ibid

¹⁴ ibid

¹⁵ ibid

¹⁶ ibid

conviction of offence and Art. 21 is about protection of life and personal liberty.¹⁷ Article 21 (a) is about right to free and compulsory education to all children of the age of six to fourteen years.¹⁸ Article 22 of the Indian Constitution talks about protection against arrest and detention in certain cases.¹⁹ Article 23 and 24 of the Indian Constitution gives right against exploitation. Article 23 prohibits trafficking of human beings and forced labor and Article 24 prohibits employment of children below the age of fourteen years in factories.²⁰ Article 25 to 28 of Indian the Constitution gives right to freedom of religion. Citizens of India also enjoy cultural and educational rights from article 29 to 30 of the Indian constitution.²¹ The sixth fundamental right of Indian constitution is in Article 32. This article gives the right to Constitutional Remedies.²²

1.1.Right to Information as a Fundamental Right

These are six fundamental rights in Indian constitution. Amongst the fundamental rights provided by the Indian Constitution the Right to freedom of speech and expression mentioned in Article 19(1) (a) is a significant democratic right. Freedom of speech and expression and right to information are interlinked and both are fundamental rights as enshrined in article 19 (1) (a) of Indian constitution and stated by justice K.K. Mathew in the case of *State of U.P. V. Raj Narain*.²³ Freedom of speech and expression is of no use if there is no access to information so Right to Information is also regarded as fundamental right to form a meaningful and participatory democratic society.²⁴ In this direction Justice K.K. Mathew stated in the case of *State of U.P. v. Raj Narain* that:

“(1) In a government of responsibility like ours where all the agents of the public must be responsible for their conduct, there can but few secrets. The people of this country have a right to know of every public act, everything, that is done in a public way, by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing. The right to know which is derived from the concept of

¹⁷ibid

¹⁸Ibid

¹⁹ ibid

²⁰ ibid

²¹ ibid

²² ibid

²³<https://sites.google.com/site/tibetanpoliticalreview/articles/freedomofspeechandrighttoinformation>

²⁴Ibid

freedom of speech, though not absolute, is a factor which should make one wary, when secrecy is claimed for transaction which can, at any rate, have no repercussion on public security (2) To cover with veil secrecy the common routine business, is not in the interest of the public. Such secrecy can seldom be legitimately desired. It is generally desired for the purpose of the parties and politics or personal self-interest or bureaucratic routine. The responsibility of the officials to explain and to justify their acts is the chief safeguard against operation and corruption.”

Freedom of speech is not only about to express but it is a right to seek information and ideas, to receive information and ideas and to impart information and ideas.²⁵ The preamble of Indian constitution also speaks about liberty of thoughts and The Supreme Court of India supported this right from the beginning. In the case of *Romesh Thaper v/s State of Madras*, Supreme Court has stated that freedom of speech lay at the foundation of all democratic institutions. In *Bennet v/s Union of India*, Supreme Court again mentioned that freedom of speech is the foundation of democracy because criticism is very essential for the effective working of democracy.²⁶ Thus the scope of freedom of speech and expression is very wide. Freedom of speech and expression includes expression of our views freely without harming the interest of any other individual propagation and exchange of ideas and dissemination of information. Under this right a person can express views and opinion on any issue through any medium e.g. words, writing, painting, picture, film, movie etc.²⁷ The scope of this right also includes the right to silent; a person cannot be forced to speak in the case a person does not want to speak. The right to paint, dance, sing or to write poetry or literature is also covered under Article 19 (1) (a) because the common basic characteristic of all these activities is freedom of speech and expression.²⁸ The right to receive information also flows from the right to speech and expression. Article 19 (1) (a) indirectly gives this right to all the citizens of India. If a person has information then he/she can express his/her feelings or opinion on any issue or matter.²⁹ Information is an asset which would help in formation of one's

²⁵<http://iasir.net/AIJRHASSpapers/AIJRHASS13-265.pdf>

²⁶<https://sites.google.com/site/tibetanpoliticalreview/articles/freedomofspeechandrighttoinformation>

²⁷ Jain, M.P., “Indian Constitutional Law”, Lexis-Nexis Butter Worths Wadhwa, Nagpur, Vol. 1, 2010, p. 1415

²⁸ *Gandhi Menka v. Union of India*, AIR 1978 SC 597, (1978) 1 SCC 248; *Usha Uthup v. State of West Bengal*, AIR 1984, Cal 268.

²⁹ *Narasimha Rao P.V. v. State*, AIR 1998 SC 2120: (1998) 4 SCC 626: Supra chs II

opinion and viewpoint on an issue.³⁰ It has been upheld by the courts that the right to secure information is an integral part of the right to speech and expression under Article 19 (1) (a). In the case *People's Union for Civil Liberties v. Union of India*,³¹ the Supreme Court observed that the right of citizens to attain information on matters relating to public acts flows from the fundamental rights enshrined in Article 19 (1) (a). Securing information on the basic details concerning the candidate contesting election to parliament or state legislature promotes freedom of expression. In the case *State of Uttar Pradesh v. Raj Narain*.³² The Supreme Court held that Article 19 (1) (a) not only guarantees freedom of speech and expression but it also ensures the right of the citizens to know, the right to receive information regarding matters on public concern. The Supreme Court also said that though the freedom of press is not expressly guaranteed as a fundamental right but it is implicit in the right to freedom of speech and expression.³³ Right to Information is described as:-

*“Information is a currency that every citizen requires to participate in the life and governance of society. The greater the access of the citizen to information, the greater would be the responsiveness of government to community needs”*³⁴

In the support of the right to Information in a case The Supreme Court accepted the plea of the newspaper with the following observation: ³⁵

“What may, however have to be observed in the levying a tax on the newspaper industry is that it should not be an overburden on newspaper which constitute the fourth estate of the country ... custom duty on newsprint is an imposition on knowledge and would virtually amount a burden on a man for being literate”.

But freedom of speech is not absolute it has certain restrictions which are specified in Article 19 (2) of Indian Constitution but these restriction should be on reasonable ground and cannot be arbitrary.³⁶ In the case of *Devidas Ramchandra Tuljapukar v/s State of Maharashtra* the Supreme Court of India states that right of freedom speech

³⁰ Jain M.P., op. cit., p. 1414

³¹ (2003) 4 SCC 399: AIR 203 SC 2363

³² AIR 1975 SC 865,884: (1975) 4 SCC 428

³³ *Printer (Mysore) Ltd. V. Assistant Commercial Tax Officer*, 1994, 2 SCC 434

³⁴ <https://sites.google.com/site/tibetanpoliticalreview/articles/freedomofspeechandrighttoinformation>

³⁵ *Indian Express Newspaper (Bombay) Pvt. Ltd. V. Union OF India*, AIR 1986 SC 515 at 539 (1985) 1 SCC 641

³⁶ <http://lawmin.nic.in/coi/coiason29july08.pdf> The Constitution of India

is a right of great value, but it cannot be put in the compartment of absoluteness.³⁷ In a landmark decision, a full bench of Kerala High Court declared *bandh* organized by political parties from time to time as unconstitutional being violative of the fundamental right of people. The Court refused to accept it as an exercise of speech and expression.³⁸

The right to speech and expression also consists right to dissent. Denial of dissent diminishes the real meaning of democracy. Democracy should accept differences of opinion. It reminds what Voltaire said “I Disapprove of What You Say, But I Will Defend to the Death of Your Right to Say It”.³⁹ Right to information is very important for right decision in every field of life and right decisions are the key of success. *Benjamin Disraeli* has rightly stated that “As a general rule, the most successful man is the man who has the best information.” The right to information is a major step towards real *Swaraj* as *Mahatma Gandhi* said that the real *Swaraj* will come not by the acquisition of authority by a few but the acquisition of capacity by all to resist authority when abused. Great philosopher *Bentham* supports this right by saying that *the more we are observed, better we perform*. Right to know is very necessary to curb corruption from society. The idea of welfare state has increased the power of state to great extent and this cause corruption. As *Lord Acton*, the British historian, said “All powers tends to corrupt; absolute power corrupts absolutely.”

1.2.Right to Information and Good Governance

The right to Information act is useful to bring the secrecy of the administration to the light. This brings transparency in the public policies. Transparency is the cornerstone of good governance. So good governance and Right to Information are interlinked to each other. A country whatsoever form of government it practices must fulfill the aspiration of the people. The Second Administrative Reforms Commission in India published its first report with the title ‘*Right to Information: Master Key to Good Governance.*’ In this report the Commission clearly stated that Right to Information empowers the disadvantaged section of society to demand government information about public policies and action which leads the welfare of all.⁴⁰ According to a paper

³⁷Teasing, Tenzin, *Freedom of Speech and Right to information*, The Tibetan Political Review , 2015

³⁸ Bharat Kumar K. Palicha V. State of Kerala, AIR 1997 Kerala

³⁹ Ibid

⁴⁰[http://www.ijhssi.org/papers/v2\(3\)/version-1/B231122.pdf](http://www.ijhssi.org/papers/v2(3)/version-1/B231122.pdf)

written by the Human Rights Initiatives good governance consists eight major elements. These are participation, consensus oriented, accountability, transparency, responsiveness, effectiveness and efficiency, equitability and inclusiveness and rule of law.⁴¹ In the context of good governance transparency is must which means availability of information for common people and Right to Information opens the government records for public security. Good governance is neither too much nor too little governance. It is also not an instrument of the government or administration. Good governance is a process aims at providing an egalitarian environment in which all citizens can have equal opportunity to develop their potential to the maximum. It ensures that certain activities to be carried out within the parameters of legitimacy, accountability and transparency. Good governance serves the stakeholders without any discrimination with a sense of commitment. It is a process to critically analyses, internalize the decision of the administration and take decision in the best of the stakeholders.⁴² Good Governance can be defines as a positive, sensitive and responsive administration. To achieve the goal of good governance it is very essential to develop a mechanism which can control the arbitrariness of power to promote equality and justice. That is why, L.D. White has stated "*Power in a democracy requires control, greater the power greater should be the control.*"⁴³ Right to Information is a mechanism which can control the arbitrary use of power and ensure better transparency to achieve the goal of good governance. It can be stated that the end objective of right to information is to achieve good governance. The main reason behind the enactment of the right to information act is to achieve good governance to make democracy strong and inclusive. This act is the greatest contribution that each citizen of the country can make to more strengthen democracy. Former Prime Minister Manmohan Singh in his speech in the parliament on May 11, 2005 stated that:

"I believe that the passage of this bill will see the dawn of a new era in our process of governance, an era of performance and efficiency, an era which will ensure the benefits of growth flow of all sections of our people, an era which will eliminate the scourge of corruption, an era which will bring the common men's concern to the

⁴¹Dhaka, Rajvir S, "Right to Information and Good Governance", Concept Publishing Company Pvt. Ltd., New Delhi, 2010

⁴²Dr. Kumar S.B, "*Overview of Good Governance in India*" Edited by Babuddin Khan, An International Journal Of Ideas, Vol. 22, No. 258, Aug 2008.

⁴³ Dhaka, Rajvir S., op.cit., p.5

heart of all processes of governance, an era which will truly fulfil the hopes of the founding fathers of our Republic. We wish to see the light of the new era with his return."⁴⁴

Thus right to information is an instrument to realize good governance and good governance is a process to make democracy strong, effective and inclusive. However governance is controlled by the elite class in the country and they misuse their power to meet their narrow interest. Many governments think that they can run the government very effectively if they work in secrecy. The people of that country should not know that what decisions are being taken for the betterment of their life. This leads corruption in the administration. Transparency leads accountability and flow of information which are the prior condition of a true participatory democracy. Right to information is a milestone in the direction of strong and inclusive democracy.

1.3.The concept of Inclusive Democracy

Inclusive democracy means that it is a form of government which tries to meet the basic needs of all the citizens, securing their freedom of choice.⁴⁵ The concept of inclusive democracy is a new concept of democracy which is a synthesis of classical and socialist democratic theory. It also compasses the characteristics of direct political democracy, economic, social and ecological democracy as well as radical green, feminist and liberation movement in south. In the beginning of the new millennium, we globally faced economic, ecological, social, cultural and political crises in each corner of the world. It is occurred due to the concentration of power in the hands of elite class. Inclusive democracy has come as a solution to the above problem which points on the equal distribution of power at all level. Inclusive democracy has distinguished between two major realm i.e. public and political. Public realm is not just about political activities but it is defined as the area of all the human activity where decisions are taken democratically and collectively. In other words it can be say that inclusive democracy is about the elimination of domination of human being over human being.⁴⁶ It also deals with "ecological realm" which is concerned with the relation between the natural and the social world. In inclusive democracy we

⁴⁴Misra, Suresh, "*The Indian Journal of Public Administration*", Edited By S.L. Goel , July-September, Vol. LV, No.3, p. 533.

⁴⁵<http://www.governmentvs.com/en/characteristics-of-inclusive-democracy/model-88-3>

⁴⁶ibid

talk about political and economic democracy which is about the equal share of political power and self –instituting of the society and equal share of distribution of economic power. But political and economic power are not the only form of power inclusive democracy would be meaningless unless it extends to social sphere which includes the household, the workplace, educational institution, cultural institution. Right to information is an effective tool to achieve the goal of inclusive democracy. It has empowered a layman so that he can demand information regarding all sphere of human activities controlled or governed by the government e.g. political, economic, social, cultural, educational, and environmental and get the concrete information regarding the working of government machineries. This information naturally has encouraged the vibrant citizenship among the peoples and compelled the stake holders to take right decisions which ultimately leads to the path of development.

1.4.Right to information as a tool for inclusive democracy

In this ‘information age’ when a communication culture has taken over and new ideas, new concepts and are changing the world all most daily. The idea of a welfare state has encroached upon the daily life of a citizen. So, it is the right of a citizen to know that what the government is doing on his behalf. Most of the countries in the world have adopted the democratic form of government and accountability is the prior condition for the survival of a democracy. Accountability can be ensured in the administration if people have information about the functioning of the government. It is only when people know how government is functioning that they can fulfill the role which democracy assigns to them and make democracy a real effective participatory democracy. Preamble of the Right to Information Act, 2005 itself defines that why the Right to Information is necessary. It says, “*Democracy requires an informed citizenry and transparency of governance which are vital to its functioning and also to contain corruption and to hold governments and their instrumentalities accountable to the governed (Right to Information Act.2005).*”

Citizen Empowerment

India has adopted a democratic form of government in which the government is run by the persons who are elected by the people of India. So it is natural for a citizen to know about the govt. activities. Right to Information is regarded as the oxygen of the

democracy. More than 85 countries have national-level laws or regulation including the major developing countries like India and China. Right to Information is a key enabler of good governance. This right makes the people able to demand for the information and makes it compulsory for the officials to provide information with the exception only when withholding the information is in the public interest, within the specified time. In the support of the right the Supreme Court observed in *Peoples Union Case* that the foundation of a healthy democracy is to have well informed citizens and voters. The reason to have right to information with regard to the background of the candidate is that the voter can judge and decide in whose favour he/she should cast his vote.

Ensure Accountability

In the age of information the value of RTI as a critical factor in socio-cultural, economic, political development is being increasingly felt. In a few developing countries like India information needs to be assured to be fastest and simplest form possible. It is widely accepted that democracy does not consists merely in people exercising their franchise once in five years. People of a democratic country have to perform a lot of duties and have to take a lot of decisions as citizens. Knowledge is power and information is the source of knowledge. So to make sound decisions people should have knowledge that what is happening in the government offices. Citizens can check the wrong policy and decisions through their right to know. This act specifies the penalties for the information provider if he/she does not provide or provide wrong information within the specified time (Right to Information Act 2005).

Remove Corruption

This right to information is very important for the people who do not enjoy power. Many people give arguments in favour of official secrecy that it is necessary in order to safeguard the interest and security of the country. They give this argument because if there is freedom of information then they will not be able to misuse their power and position. There are much better arguments for saying that public scrutiny of decisions related to deface and intelligence is likely to make a more secure society. Secrecy can lead corruption and inefficiency in the security services which undermines security of

the country as well the citizens of that country.⁴⁷ Official Secret of 1923 was a weapon in the hands of public servants. They misuse their power and position on the name of national security as result corruption spreads in all fields of life. People become corrupt in the absence of public scrutiny of what they do. If a person has the right to question then people will be less corrupt. Exercise of the right to know ensures transparency and prevents corruption in the functioning of government offices.

Improve Decision Making

In the case of *S.P. Gupta v. Union of India* the court observed that, “*It is a new democratic culture of a new democratic society towards which every liberal democracy is moving and our country should be no exception.*”⁴⁸ Because of the concept of the welfare state, state has entered in every sphere of life to provide better life condition for its citizens. The right to information improves decision making because an informed citizen is like a check on the wrong policies of the government. The Frank Committee of United Kingdom also accepted the importance of Right to Information in its report that

“A government which pursues secret aims, or which operates in grater secrecy than the effective conduct of its proper functions requires, or which turns information services into propaganda agencies, will lose the trust of people.”

Improve Efficiency

Right to Information an effective tool to make government accountable and efficient. If a public servant tries to misuse his/her power a citizen with the help of this right can expose his wrong actions. A citizen has the right to know that how the decisions are taken and how the money is being used, collected from the common people in the form of taxes. If he people exercise this right in the right direction then no public servant will misuse his/her power and position and this lead efficiency in the administration.

Increase People’s Participation

⁴⁷Khandelwal, Dheera and KrishanKhandelwal, “A Commentary and Diggest on Right to Information Act. 2005”, The Bright Law House, New Delhi, 2007 , p. 807

⁴⁸ S.P. Gupta v. Union Of India, AIR 1982, SC 149

The right to information is a tool through the participation of the people in the governance improves. With the help of the right they can get information about the policies and the welfare programme of the government and can take benefit from them in a better way. If the common people have the information about what is going and how it is going on in the administration they take interest in the democratic process of the country. After the enactment of the right to information, governance at local level has become more participatory. Now people can get information about all the Panchayat records and can be the equal partner in finalizing the development plans for their respective village and this will make the democracy more inclusive.⁴⁹

Transparency

Right to Information helps to increase people participation. Because of this right information is available to all citizens about all governmental policies. A citizen can demand for any information at any time and government officers cannot ignore his/her request as the Right to Information Act 2005 has strong disciplinary action against the guilty officers. This leads transparency in the administration. In recent years right to information has gained recognition at global level. In fact this acceptance of right to information is not a new trend. This right is supported by one of our *Vedas*. According to *Rig Veda* “*let noble thoughts come to us from direction*” as a citizen everyone needs to participate not only at the time of election but at the time when policies, laws and scheme are being made and are being implemented. Public involvement is must but in reality how the common people can find out that how the tax is being spent? How the decisions are being taken? Are government servants working honestly? Are public schemes are rarely for public? The only answer of this entire question is right to information. Through this right people can actively take part in decisions making policies directly or indirectly.

1.5. Right to Information Act. 2005

The Right to Information was enacted on 15 June 2005, but did not come into force at once. This right came into force on 12 October 2005. The provisions of sub-section (1) of section 4, sub-section (1) and (2) of section 5, sections 21, 13, 15, 16, 24, 27

⁴⁹Nayak, Venkatesh, “*Governance in a Right Framework and the Right to Information*”, Social Action, Vol. 56, October-December, 2006. P. 331

and 28 came into force at once and rest of the section of the Act. Came into force on one hundred and twentieth day of its enactment.⁵⁰ The Act. Consists *Suomotu Disclosure* according to which it is mandatory for all public authorities to publish all the important on their institution within one hundred and twenty days from the enactment of the Act.⁵¹ All public authorities will appoint as many information as are necessary to provide information to the citizens within one hundred and twenty days from the enactment of the Act.⁵² All the citizens of Indian can make request for information under the Act. in writing or may electronic mean in Hindi, English or in the official language of the area in which the application is being made with a fee as described by appropriate government. The applicant this not required to give reason for making a request for information under this Act.⁵³ Persons who are of below poverty line need not to pay for making a request. The concerned public authority is required to provide information within thirty days (in normal case) and within forty-eight hours in the case of life and liberty.⁵⁴

1.6.Review of Related Literature

Survey of related literature is very essential part of a research. It helps for the proper identification of the research problem and also in refining and defining the research problem under the study. It is also helpful in defining the research objectives and laying down the hypotheses of the study. With this end in view, survey of some of the studies related to the present study is conducted in the present section.

Right to information: - concept, Law, practice with position in other countries and case studies-This famous book is written by N.K Jain (2007)⁵⁵. It deals with RTI act in different angles. The writer has discussed about the historical background and main features of RTI act, state level laws and role of government to implement RTI act2005. He also comparatively analysed the notion of RTI in different countries like U.S.A., U.K., Japan, South Africa, Pakistan, Hong Kong, France, Scotland, Canada, China, Colombia, European Union, Israel, Jamaica, New Zealand minutely for

⁵⁰Section 1, Right to Information Act. 2005

⁵¹ Section 4, *ibid*

⁵² Section 5 *ibid*

⁵³ Section 6, *ibid*

⁵⁴ Section 7, *ibid*

⁵⁵Jain, N.K., "Right to Information, "Concept, Law, Practice with position in other countries and case studies", Regal Publication, New Delhi, 2007.

examples obligations public authorities, state information commissions, appeal and penalties, First schedule and the second schedule. He not only study the implication RTI act globally but also in different state inside India like Andhra Pradesh, Delhi, Haryana, Himachal Pradesh, Goa, Gujarat, Jammu and Kashmir, Karnataka, Madhya Pradesh, Odisha, Rajasthan, Tamil Nadu and Uttar Pradesh. The main argument of writer is that Satyagraha is a powerful tool to fight against justice and corruption. By giving examples of Parivartan NGO and its successful strategy to use Satyagraha in income tax department Municipal Corporation, Jal Board in Delhi and Vidyut Board in Delhi for open and better administration. He also describes importance of Social Audit and Jan Sunwai, finding of Jansunwaies.

Right to Information-S.P. Sathe (2006)⁵⁶ focused on the judicial decision and the problems that might be faced while implementing the Act. He discussed about the secrecy in government during colonial rule, and constitutional perspective gave historical survey of RTI of different countries on both constitutional provisions and statutory provisions and the history of RTI in India. The main argument of the writer is how media makes governance more transparent and the role of PIL (Public Interest Litigation) to increase public participation in judicial process. He also deals with conflicts between Freedom of Press and Right to Information. The chapter shows the importance of Right to Information for a citizen as a voter. The writer also highlights the contradiction between Right to Information and Right to Privacy.

‘Democracy in India’(2007)⁵⁷: is an incredible monograph on Indian Democracy written by Chandra Prakesh Bhambhari. The main Argument of the piece is that the upper middle class have distanced themselves for participatory democracy. Initially the writer defines Democracy with the help of the ideas of different political thinkers like Hobbes, Machiaveli, Locke, J S Mill, Schumpeter etc. and then defines some democratic principles like freedom, equality and representation. After that writer described institutional arrangement for a Democracy. The writer also explained how important India was for the British colonizers. The writer denied the thought that Democracy in India is a gift by the colonizers. The writer says that the Britishers left India completely underdeveloped and backward. According to the writer Nehruvian era is *‘The Fundamental’ Phase* and Indira Gandhi era is *‘Years of Power’* which

⁵⁶Sathe S.P. *“Right to Information”*, lexis Nexis Butterword, New Delhi, 2006”

⁵⁷Bhambhari, Chandra Prakesh, *“Democracy in India”*, National Book Trust, New Delhi, 2007.

played important role in the shaping of Indian democracy but now we face the challenges for Democracy in 21ST century. The universal problems which are faced every democracy are conservatism of administration, outsiders and indigenous, identity based politics, assertion of regional identity etc.

Rawbottom, Jacob (2010)⁵⁸ has written a fantastic book on democratic politics. It is about freedom to speak. The writer has given some justification about freedom to speak from both perspective of the speaker and the audience. He also gave some positive obligations of freedom expression and how it can take one step towards a more egalitarian system.

This paper “**Transparency and accountability in Governance and Right to Information in India**” is written by a very famous writer Dr. Shiela Rai she starts the paper with India’s ranking in Human Development Index (HDI), World Competitiveness Index (WCI) and Corruption Perception Index (CRI). She says that the term Good Governance became very important from last two decades. In the absence of good governance in developing and third world countries the development funds given by International organization are not being utilized in a way so that they can give the desired result. After independence India adopted the perspective of planning process but unfortunately it did not meet the required result because of corruption and inefficiency. But after the popular policy known as LPG (Liberalization, Privatization and Globalization) there is big change in the working of state. Now people have become major stake holders and expected to take the front in the developmental initiatives. Now state is a ‘Facilitator’ instead of ‘Provide’ and therefore accorded a back seat. To achieve the standard of good governance Indian government came with 73rd and 74th amendment so that consumer groups at all levels ensure service delivery and programme execution through autonomous election bodies. Without information people do not feel empowered and not able to make sound decisions. This paper explains that information is a tool for empowerment and also describes the need of Right to Information Legislation. Further the writer gives different state level Lawson RTI like Tamil Nadu, Goa, Madhya Pradesh and Rajasthan. The writer also describes Rajasthan experience for the demand of RTI. The writer says that Rajasthan experience is different from other state because the demand

⁵⁸Rawbottom, Jacob, “Democracy Distorted Wealth Influence and Democratic Politics”, Cambridge University Press, 2010.

of RTI in Rajasthan was raised by most disadvantaged rural people. In this paper the writer also describe history of RTI in brief. The writer says that RTI is mostly considered a low foe urban elites and policy makers but collective efforts of organized people in Rajasthan to bring political change have proved the importance of this Act for ordinary and disadvantaged people also. In the last of the paper says that '*Jan Sunwai*' by MKSS (Majdoor Kisan Shakti Sangthan) was very useful. In the conclusion the writer says that RTI is most significant reform in public administration. This law is the light of hope which can remove the darkness of corruption.⁵⁹

The paper '**Right to Information as a tool to Promote and Strengthen Democracy**' is written by Dr. Padma Rani a reader at Manipal Institute of Communication. She starts the paper with three basic resource of RTI. The first resource is constitutional support she gives references of some judgments of Supreme/High Court. The second basis is Democratic. She says in Democracy government is for people so they should have the right to know that how the decisions are being taken and the third basis is logical. She says that government makes policy with the money collected from the citizens in the form of taxes. So they should have right to know that how the money is being spent by the government. Further the paper trace the history of RTI starting from MKSS (Majdoor Kisan Shakti Sangthan) to the enactment of RTI Act 2005. The paper also gives some silent features of RTI Act. Further with the help of the case laws the writer discusses that how RTI applicable in different areas like expose corruption, health services ,water sanitation, land scams, fake certificates, unnecessary expenditure by the government, unfilled government vacancies, NERGA and food security. In the last of the paper the writer also describe the areas where RTI cannot be used like information on religion, security organization etc. the paper also have some steps to be taken to promote RTI. In the conclusion gives four requirement for a good people oriented transparency law. The first is less exemptions second is affordable fee third is independent yet non judicial appellate mechanism and fourth is stringent penalty for defiance. Democracy requires informed citizenry and

⁵⁹http://www.napsipag.org/SHEILA_RAI.pdf12 June

transparency. The appropriate implementation of RTI can meet this requirement and will make the government not only transparent but also a free and fair society.⁶⁰

Mander, Harsh and Abha Joshi has written a very good paper with the Title '**The Movement for Right to Information in India People's Power of Control and Corruption**'⁶¹. This paper is being divided into three sections. The first part is about importance of Right to Information to combat corruption. The writer says that information is power that's why the entire executive tries to withhold information to increase their scope of control. Therefore the most effective check on corruption would be then only where people have the power to access the information. The writer says that the new technological advancements can reduce the gap between the '*Information Rich*' and '*Information Poor*.' In the last of the section also highlights the areas where the maximum interface of the ordinary people with government. The second section of the paper is about the grassroots struggle for Right to Information in Rajasthan. This section starts with the history of MKSS (Majdoor Kisan Shakti Sangthan). MKSS starts new instrument of *public hearing in the form of Jan Sunwai in the winter of 1994 in Rajasthan. It's a very effective tool to control corruption*. Next the paper explains how *Jan Sunwais* organized by MKSS gave a hope to the most disadvantaged section of the society. The third and last section of the paper is about lessons from the grassroots experience. The writer says that there are check and balance on the public authorities. First time the movement for RTI adopted a new methodology of check for audit and supervision directly by the people. The paper also gives some steps for this new methodology like identification of problem, identification of relevant information, accessing of documents, scrutiny of documents, facilitating audit, *Jan Sunwai* or public hearing. The paper also gives knowledge about history of MKSS and *Jan Sunwai* and audit by public worked to pave the way for RTI.

The paper on '**The Right to Information: - Facilitating people's Participation and State Accountability**'⁶² is by two RTI activists Aruna Roy and Nikhil Day. Both are also the founder of MKSS in Rajasthan. The biggest problem of democratic institutions is that people's interest and participation is decreasing in government

⁶⁰Rani, Dr. Padma, "*Right to Information as a tool to Promote and Strengthen Democracy*", Global Media Journal, Indian Edition, winter issue, Dec. 2010.

⁶¹Mander Harsh, Joshi Abha, *The Movement for right to Information in India Peoples power for the control of corruption. The Hindu, 13th Dec. 1991.*

⁶²<http://www.cccindia.org.in/cs54b.pdf>

institution because of secrecy maintained by bureaucrats. With the efforts of the people is Rajasthan RTI legislation passed on 1st of May 2000 in Rajasthan five year before it came at center level. Campaign for RTI was started in Rajasthan with the demand of minimum wages for the people of the areas which were declared drought affected areas by the government of Rajasthan. The paper explains that MKSS evolved a new thought in the form of '*Jan Sunwai*' to expose corruption and also explains how effective the new idea was. As result of the first '*Jan Sunwai*' people exposed a fraud of a few lac of rupees in their little Panchayat. They also raised an implicit question for nine thousand Panchsyats in Rajasthan. Further the paper explains the reaction of bureaucrats. They felt highly threatened by the idea of RTI. The reactions of politicians were also not good. They were in dilemma and played a game of hide and seek. The paper also explains how '*Jan Sunwai*' exposed the *Sarpanches* in village who acts like an agent of MPs and MLAs. Because of the continuous effort of the people The Chief Minister of Rajasthan made promise in 1995 to the people of Rajasthan to bring RTI legislation. The paper discusses the Beawar Dharna and The Jaipur Dharna also. People of Rajasthan expressed their anger through different modes like 'Ghotala Rath' , 'Kala Divas' etc. There were two reasons behind the success of the campaign of RTI in Rajasthan first the determination of the people and second is the importance of the demand. The paper also discusses the second phase of '*Jan Sunwai*'. The difference between the first phase and the second phase of '*Jan Sunwai*' is that second time people made a demand for information instead of request. In the last of the paper the writer explains that RTI is a step towards participatory democracy the paper also evaluates the future potential of this Act. This paper is mainly based on the experience and effort of MKSS in Rajasthan. This paper gives knowledge how MKSS started work in Rajasthan and contribute in the making of RTI legislation in Rajasthan.

The book titled **Is there a Right of Freedom of Expression (2005)**⁶³ is written by Larry Alexander a professor at The University of San Diego. He discussed about two questions. First is what kind of thing is 'Human Right' and second is what are the activities that come in the scope of freedom of expression how would freedom of expression look like if we separate it from some pre political human rights.

⁶³ Alexander, Larry, "Is there a Right to Freedom of Expression", Cambridge University Press, U.S.A., 2005.

‘Right to Information Various Dimensions’ (2012)⁶⁴ is written by Dr. Manish Kumar Chaubey. He gave a background for Right to Information. He also highlighted importance, need and principles of RTI, historical evolution of right to information in India and around the world. Third chapter of the book gives provisions pertaining Right to Information at national and international level. At national level these provisions are in under Indian Constitution, in other legislative responses like The Atomic Energy Act 1902, The Companies Act 1956, The Designs Act 2000 etc. and some specific laws on RTI. At international the roots of RTI can be traced in different international conventions, declarations and treaties. He also established a relationship between RTI and Democracy. He defined how RTI is a touchstone and a new life for democracy. The chapter also defines how important is RTI for panchayats. The main argument of the writer is that at present time knowledge is power and people get knowledge with the help of Right to Information. To make democracy transparent and accountable Right to Information is considered a necessary condition. The writer also gives some suggestion for better implementation of RTI Act. The book also has RTI Act. 2005, Report of National Commission to Review the working of the Constitution 2002 and the official secret Act. 1923.

Ansari (2009)⁶⁵ discusses the link between and elements of good governance. This paper has four parts. In the first part the paper gives introduction of information regime. The writer says that a person having access to information empowered and able to make sound decisions for participating in democratic process. Before 2005 an ordinary citizen did not have access to information and without access to relevant information it is meaningless to participate in debate on political and economic issues. In the next part of the paper the writer discusses about links between RTI and elements of good governance. The major objectives of the Act are: - (1) Greater Transparency (2) Partnership between government and citizens in decision making process (3) Improvement in Accountability (4) Reduction of Corruption. In this part of the paper the writer examines that to what extent RTI is successful in influencing these objectives. According to the Act 2005 every public authority is required to maintain all its records in a manner as it facilitates the RTI act. 2005. *Suo Motu*

⁶⁴Dr. Chaubey, Manish Kumar, “Right to Information Various Dimensions”, Regal Publication, New Delhi, 2012.

⁶⁵Ansari, M.M., “*Right to Information and its Relationship to good governance and Development*”, Prashasika, Vol. XXXVI, No. 1-2, Jan-Dec. 2009.

disclosure is also necessary at regular intervals. To bring transparency a large number of PIOs are fined for not providing or providing wrong information. Because of RTI Act. People can ask for information and an informed citizen can better participate in government schemes. Under this Act people can ask about utilizations of funds of different projects or about other public work of government. This has increased accountability and decreased corruption in public departments. In the third of the paper the writer examines impact of RTI Act on major indicators of developments. These indicators of development are poverty alleviation, guarantee of income, food security, delivery of service under subsidized scheme, human capital education and health care, basic economic infrastructure, empowerment of weaker section and environment protection. In the last part of the paper the writer concludes the paper. Right to information promotes and protects the socio-economic interest of every citizen. To realize development goal the writer gives some suggestion. The first suggestion is all development plan should run with transparency. Second a strong information system should be developed by every public authority. Third is people should be taught as to what information should be sought and how to make best use of that information. Fourth NGOs can play an effective in educating people about their rights and finally democratization of information is very necessary to realize development goal. This paper has two major objectives one is RTI relation with good governance and second is to what extant RTI effective on indicators of developments.

Bakskh (2005)⁶⁶explains that how RTI is important for rural development. Indian government spends a big amount of money for the development of rural areas but corruption is a big problem on the way to achieve the goal. Government policies are not being implemented in a proper way as they should be. Government record on the achievement of rural development is quite satisfactory but the reality in rural areas is different from the government record. The writer says that RTI is a big tool in the hand of rural people it can bring accountability in (PDS) Public Distribution System, poverty alleviation programme, rural infrastructure, employment generation programme through participation of people in development programme. The proper functioning of Panchayati Raj Institution is also an important instrument to bring Accountability in rural administration. These are the areas where because of corruption development schemes of government do not meet their goal and the picture

⁶⁶Bakskh, Pradeep, “*Right to Information and Rural Development*”, in Kurukshetra, July 2005, pp. 4-8

of rural development is not satisfactory. In the end of the article the writer says that rural development requires some prerequisites. People of rural areas should have knowledge about Right to Information Act 2005 and how to file an RTI in any department. Awareness about Right to Information Act should be spread. Rural people should have knowledge about the advantages of RTI Act 2005.

Dogra (2006)⁶⁷ has written a good book on transparency and RTI. The writer describes different aspects of India's RTI experience as well as some issues on transparency. The writer described that how Right to Information Act 2005 came into existence after a long struggle. The writer also highlights some provisions which support Right to Information like Art. 19 of UDHR, judgment of Justice Mathew in case of Uttar Pradesh v/s Raj Narayan 1975, Justice P.N. Bhagwati judgment in case S.P. Gupta v/s Union of India. The main argument of the write is that voluntary organization should take special responsibility to remove or stop corruption.

Roy (2001)⁶⁸ in his article gives a comprehensive knowledge about the struggle if MKSS for the Right to Information. The article starts with a question that does poor people of villages have the right to know the details about the developmental work which is being carried out in their own villages. In 1900 an organization named Majdoor Kisan Shakti Sangthsn (MKSS) started working with the very poor peasants of the area (Bhim Tehsil, the Pali District in Rajasthan) which is considered the most backward region of Rajasthan. The root of the idea of MKSS can be traced behind the issue of non-payment of the wages to workers. A former IAS (Indian Administrative Servant) named Aruna Roy managed somehow the details of development from the block office and organized the first Jan Sunwai in Kot Kirana a village in Rajasthan. This was very successful and after that several other Jan Sunwai were organized from December 1994 to April 2005. The effect of these Jan Sunwai was that first time one engineer of the State Electricity Board returned 15,000 rupees in public the extracted from a poor villager. Two demand were raised in all Jan Sunwais that one was villagers should have the right to make photocopies of the details of the development programmes and was public money which was missed by officials should be return and invest on developmental work. Because of the efforts of MKSS in 1995 there was

⁶⁷Dogra Bharat, "Transparency and India's New Legislation on Right to Information", New Delhi, 2006.

⁶⁸ Roy, Bunker, " *Right to Information Profile of a Grassroot Struggle*", Mainstream, Vol. 39, No 22, 19 May, 2001, pp. 7-9

an announcement from the Chief Minister of Rajasthan that any citizen has the right to demand for information. After this announcement no initiative was taken from the government and MKSS decided to go on strike. This strike was carried out for seventeen days supported by common people, political parties, and eminent journalists. In the end of the article the writer says that this supports from every section of the society is not less than victory for MKSS. Now people understand what is Right to Information and the demand for this right will increase even without MKSS.

Nayak (2006)⁶⁹ in his article says that the word ‘governance’ was not very popular at the time of drafting the constitution. The word ‘governance’ is used only once in the Directive Principles of State in Indian Constitution. But no time limit was set to achieve the goals. The first step to achieve the goals is Fundamental rights and according to these rights there should be no discrimination among the citizens of India on the basis of their caste, race, sex or place of birth. All individuals are equal and entitled to equal protection of the law. Discrimination on social norms would no longer guide the policies of modern states. Commentators on Indian Constitution were disappointed by the absence of time lines for achieving the goals outlined in the Directive Principles of State. Further the writer says that the concept of democracy evolved fully in 20th century. The important principles of democracy are adult franchise, law must be based on the consent of the people and tax must be raised based on the approval of tax payers. Universal Declaration of Human Rights which was adopted by fifty countries including India outlines the basic standards of life and norms of treatment for every individual born on this planet. Every country tries to safeguard the human rights for its citizens. Human rights belong to all persons no matter who they are. Further the writer discusses governance and human rights. Free and fair elections are insufficient for realization of the goal of a democracy. Arbitrary actions of public functionaries resulting in the violation of the rights. This phenomenon has many causes and main causes are limited nature of resources, the veil of secrecy and people’s lack of awareness. United Nation High Commission for Human Rights has outlined the essential attributes of governance and these attributes are transparency, responsibility, accountability, participation and responsiveness.

⁶⁹Nayak, Venkatesh, “*Governance in a Right Framework and the Right to Information*”, Social Action, Vol.56., Oct-Dec. 2006, pp, 319-333

Further the writer says that there should be people's participation in PRIs. Secrecy due to Official Secret Act, 1923 is responsible for corruption in administration. Right to Information can contribute to realize the goal of good governance. Further the writer says that RTI is not new in India it was given also incorporated in Indian Evidence Act 1872 but the secrecy in governance was given more importance. In India the first state who passed RTI Act in 1997 is Tamil Nadu. At center this Act came on October 12th 2005. RTI is very useful in third tier of PRIs. The model of involving people in the planning process at village level needs to be replicated in every Panchayat in the country. But this project will not make headway until and unless awareness is built about the RTI in every village.

Dr. Kumar (2007)⁷⁰ wrote a great book titled '**Treatise on Right to Information Act, 2005**'. This book is very bulky having 1484 pages and is being divided into fifteen parts. The first part of the book has twelve chapters. The first chapter is in the form of question answer. The writer states many questions like what is RTI? If RTI is a fundamental right, then why do we need an Act? How the Act can be useful for me etc. and gives answer of these questions. The second chapter of the book is about historical perspective of RTI. In this chapter the writer elaborates RTI in different regional organizations like The United Nations, The Commonwealth, Organization of American States (OAS) and the Council of Europe. This chapter also discusses transparency in other countries. The third chapter of the book is about the efforts towards RTI in India. This chapter deals with people's movement, Majdoor Kisan Shakti Sangathan (MKSS), Jan Sunwai, media's role to bring RTI, landmark decisions in support of RTI etc. Fourth chapter of the first part defines the meaning of public and interest and also describes American and Australian view on public interest. Fifth and sixth chapter of the book deals with some important features of RTI and the cases in which people use RTI to get their work done respectively. Seventh and eighth chapter of the book gives a very clear understanding about what is file noting and what is public and private authority, what is information, and United Kingdom's definition on public authority respectively. Ninth chapter of first part deals with RTI over the world. This chapter discusses forty five countries. Ninth chapter evaluates that is RTI is a dawn of a new era, RTI after three years, death of RTI in Uttar Pradesh (UP) and role of Information Commissioners. Eleventh and twelfth chapter of first part gives a

⁷⁰Dr. Kumar Niraj, "Treatise on Right to Information Act, 2005", Bharat Law House, New Delhi, 2009.

critical appraisal of RTI Act and some important issues like field occupied by RTI and that of sections 123,124 and section 162 of the Evidence Act, whether the information made available could be used as Evidence in court etc. respectively. Second part of the book gives detailed information about right to information and obligation on public authorities, The Central Information Commission (CIC), The State Information Commission, powers and functions of information commission, appeal and penalties. Third part of the book discusses the important issues decided by information commission. Part fourth and fifth of the book deals with Supreme Court (SC) on Right to Information and High Court (HC) on Right to Information respectively. Some leading RTI cases from all over the world is given in the sixth part and in seventh part of the book important circulars/notifications are given issues by government/information commissions on Right to Information. Eighth part of the book deals with some other Act like The Official Secret Act. 1923, The Public Record Act. 1993, The Public Record Rules 1997 and Freedom of Information Act 2002. Ninth part of the book has some allied Acts and rules (relevant provisions) like The All India Services Rules 1968, The Atomic Energy Act 1962, and The Companies Act.1956 etc. Tenth part of the book has some articles written by some famous personalities on Right to Information and eleventh part is about state rules/notifications on the Right to Information. Twelfth and thirteenth part of the book deals with reports and guidelines given by different commissions on RTI and international conventions and declarations respectively. Fourteenth and fifteenth part of the book have specimen forms of different appeals and request and miscellaneous like list of important web-sites, list of NGOs on RTI web-sites etc. respectively.

Dhaka (2010)⁷¹ wrote a very good book on Right to Information and good governance. The other of the book is a member of academic faculty at the Haryana Institute of Public Administration, Gurgaon. In the beginning the writer discusses that why we need Right to Information and evolution of RTI in India. The chapter also has international perspective on Right to Information, constitutional developments of RTI in India and legislation in states prior to the RTI Act.. the writer gives detailed information about administrative authorities created under the Act and their role and responsibilities like receiving the appeal from the appellate, forwarding it to the first

⁷¹Dhaka, Rajvir S, "Right to Information and Good Governance", Concept Publishing Company Pvt. Ltd., New Delhi, 2010.

appellate authority and the second appellate authority, fee and costs to be charged, time limit for disposal of request, third party etc. The work of the commissioner is divided among the Chief Information Commissioner and Information Commissioner. The writer also discussed about the landmark decisions of CIC and SIC on application fee, assistance to the RTI applicant, rejection of request, generating information, no direct appeal to the commission, liability of ministerial staff etc. The main argument of writer is that not only the secrecy but also the information is misused by the stakeholders.

Habibullah (2009)⁷² who has been the first Chief Information Commissioner of India explains that in spite of massive programmes of poverty eradication in India the result of these programmes is not satisfactory. The writer asks a question that if the current system is not able to stop the corruption then by what system it can be replaced. According to the writer Right to Information is an important tool in the hands of people to curb corruption. In NREGA many RTI have been filed by the common people. It seems that this programme have got married with Right to Information. There is a lack of governance and this issue was also discussed in the high level conference in Delhi in 1997. Further the writer says that bureaucracy does not accept and support change. 1991 was a year of near wholesale delicensing of industry. The Joint Secretary was asked to examine the restructuring of the department in the light of the functional change and according to the report the department should be closed down as it serves no purpose. The writer says that transformation from ‘Inspector Raj’ to ‘State Withdrawal’ is not a radical change. Further the writer also says that Indian constitution supports Right to Information indirectly in Article 19 (1) of the constitution and Supreme Court also supported Right to Information in many cases like in the case of State of U.P. v/s Raj Singh. In the end of the article the writer says that Right to Information is not an anti-corruption Act. The Right to Information Act is an effort to make government more transparent and effective. This Act establishes a master servant relationship between public and government. The writer ends the article with a question “will Indian public grasp the opportunity.”

⁷²Habibullah, Wajahat, “ *Corruption and the Right to Information*”, Seminar 594, Feb.2004, pp. 30-34

Bhansali (2006)⁷³ has written a very good book on Right to Information which is discussed about central rules on Right to Information and rules framed by state and union territories on Right to Information, notifications issued by the central and state governments and public authorities under the Act, Official Secret Act, 1923 and Public Record Act, 1923, the relevant provisions of the Constitution of India and other Acts, rules and regulation like Constitution of India, Indian Penal Code (45 of 1860), Indian Evidence Act, 1872, representation of the people Act 1951, Companies Act 1956, Atomic Energy Act, 1962, Code of Criminal Procedure 1973, Bureau of Indian Standards Act, 1986, Trade Mark Act, 1999, Designs Act, 2000 etc. and Central Civil Services Rules, 1964, All India Services Rules, 1968, Medical Termination of Pregnancy Regulations 2003 and Protection of Plant Varieties and Farmers' Rights Rules, 2003. The main argument of the book is Information should be the fundamental right on which every citizen has right.

Dr. Kumar (2008)⁷⁴ has written a very good paper titled '**Overview of Good Governance in India**'. In the starting of the paper the writer tries to define the term '*Good Governance*' and says that every country in the world is striving to attain good governance. The idea of good governance became famous after the fall of Berlin Wall in 1989. In 1989 the concept of good governance was connected with foreign aid. But now the concept of good governance has become an integral part of every democracy all over the world. The writer says that World Bank and IMF have launched more than 600 programmes in over 50 countries. Further the writer says that governance is not an apparatus of the governance but a system which ensures that certain activities should be managed and controlled within the parameters of accountability, legitimacy, and transparency. Its main motive is to serve the stakeholders without any discrimination with a sense of commitment. Further the writer discusses the first phase of Indian governance. This phase was called Nehru-Gandhi Model of governance. This model was based decentralization of power, people participation and secularism. But this model could not meet the desired goal. The second phase was started by Prime Minister Narsimha Rao with liberal economic reforms in 1991. This government launched a new model of development to realize the desired goal which

⁷³Bansal, R.S. "The Right to Information Act 2005, An Exhaustive, Critical and Analytical Commentary of Act No. 22 of 2005, Along With Rules & Notifications", India Publishing House, Jodhpur, 2010.

⁷⁴ Kumar, S.B, "*Overview of Good Governance in India*", Edited by Babuddin Khan, An International Journal Of Ideas, Vol. 22, No. 258. Aug 2008.

includes decentralization, foreign technology, foreign investment, and foreign capital. Indian economy was shifted from *Plan* to *Market*. The writer also discusses the problems that come in the way of good governance like population explosion, people living below poverty line adverse sex ratio, unsatisfied condition of education and health services. We can see rapid change in all walks of life because the old structural patterns are incapable to fulfill the needs of the people. Further the writer says that working of the governance in India is not satisfactory. Elected members misuse their power and position. Leadership in India is highly centralized but today democracy all over the world moving towards participatory democracy so decentralization is the requirement of present time. This paper also discusses the nature of Indian Civil Services which is based on Weberian Model of bureaucracy. This model is not very effective in present time. To make effective public services a new organizational culture based on trust and decentralized is required. In the last of the paper that writer says that knowledge has replaced capital. The writer quoted a statement of Robert Solow, a Nobel Prize winner economist that “Innovation or technology and not capital is the key factor in economic growth.” In present time knowledge has become very important that is why companies give unthinkable package to their officers. Management theories of Taylor and Henry have become outdated. Elements like organization emphasize on networks, shared values and vision, team work and expertise with sharing of knowledge are requirement of present time and these elements are termed as Post-Modernist. This paper is a very good effort to define good governance and functioning of governance in India.

1.7.Profile of the Study Area

Haryana as a state came into existence on 1st November 1966 on the political map of Indian Union. Haryana became the 17th state of India and has 21 districts in it. Before 1966 Haryana was a part of Punjab state and became a separate state under The Punjab State Reorganization Act. In 1966 passed by the Indian Parliament. Chandigarh is shared as the common capital of both the state Haryana and Punjab, designed by a French architect, Le Corbusier. It comprises less than 2% of India’s population and 1.37% of total geographical area. A large area of the state comes

under the national capital Region. About 78% of its population is engaged in agriculture with 80% of its area. It is a small but progressive state of the country.⁷⁵

Historical Perspective

Haryana has a great history from the Vedic period. It has been the home of the famous king *Bharat* and the center of Indian culture and civilization. Archaeological investigation states that early man used to live in Haryana Shivalik. *Vamana Purana* describes that King *Kuru* the ploughed at Kurukshetra and reclaimed the area of seven 'kosas'. Saint *Ved Vyas* wrote the great epic *Mahabharata* on the holy land of Haryana. The war of *Mahabharata* was fought here about 5000 years ago in which Lord *Krishana* gave the message of *Karma Yoga* to *Arjuna* enshrined in *Shri Madbhagwad Geeta*.⁷⁶ Because of the war of *Mahabharata* this region became very famous. In *Mahabharata* the region is known as '*Bahudhanayaka*', which means the land with plentiful grains. The word '*haryana*' first used in 1328 AD in a Sanskrit inscription placed in Delhi museum which describe this region as the Heaven of Earth. *Rahul Sanskritiyana*, a great scholar states that in ancient time this region was to be known as '*Haridhankya*' and '*Haryana*' is the corrupt form of '*Haridhankya*'. During the post *Mahabharata* period this region was populated with *Ahirso Budh Paraksh* connect this region with '*Abhirayana*'.⁷⁷ According to H.R Gupta the term of '*Haryana*' came from '*Aryana*' as this region was the original home of '*Aryans*' and later they migrated other part of the world.⁷⁸

Before 1857 Haryana remained anonymous. In the revolt of 1857 against British Rule Haryana a very important role and by the end of 1857 most of Haryana was liberated from British rule. But British managed to put down the rebellions and again get control over this region.⁷⁹ Before 1857 present U.P. was also a part of this region. After 1857 this region was tagged with Punjab as a punishment for a significant role in the revolt of 1857. This region remained a part of Punjab till 1966. In 1966

⁷⁵<http://nidm.gov.in/PDF/DP/HARYANA.PDF>

⁷⁶<http://prharyana.gov.in/Documents/Docs/material%20for%20India-2012.pdf>

⁷⁷ Singh, Mandeep Harivander Kaur, "Economic development of Haryana", Deep & Deep Publication, New Delhi, 2004, p-1

⁷⁸ Sharma S.K., 'Haryana Past and Present', (ed), Vol-1, Mittal Publication, New Delhi, p-18

⁷⁹http://dcmsme.gov.in/dips/state_wise_dips/state%20profile%20haryana.pdf

Haryana became a separate state because the people of this region felt neglected and demanded for a separate state.⁸⁰

Formation of a new state Haryana

Demand for a separate state for Haryana was very strong even before independence. In 1923 swami Satyanand and Shadi Ram gave the idea of a separate state. Later it was also discussed in 1928 in All India Jat Students Conference. Indian Statutory Commission also received a proposal for a separate state.⁸¹ Most of the political of the country were not agree to form a separate state on the basis of language. Yet under the chairmanship of S.K. Dar (A former Judge of Allahabad High Court) a commission was made to advise the Constituent Assembly on this matter. The commission gave its report in 1948 and the report was not in the favor to form a separate state. But the people of this region continued to demand for a separate state. In 1956 a State Restructuring Commission was made to redefine the state boundaries on the basis of the language. But this commission could not satisfy the people of this region and the recommendations of the commission were not satisfactory. At last 1965 under the chairmanship if Sarkar Hokum Singh Indian Government made a Parliamentary Committee. This committee recommended to constitute a Punjab Boundary Commission. On the recommendation of Punjab Boundary Commission Punjab Reconstruction Act was passed by the Parliament. After a long struggle Haryana cane into existence on 1st November 1966 as a separate state.⁸²

Haryana at a Glance

Geographical Situation	:	27°39' to 30°55' North latitude and 74°28 to 77°36' East longitude
Location	:	North Eastern State of India
Formation	:	1 st November 1966
Area	:	44,212sq.km (1.3% area of India)
Capital	:	Chandigarh

⁸⁰RaiGulshan, Formation of Haryana, (op.cit, p-13)

⁸¹ ibid

⁸² ibid

High Court	:	Chandigarh
Division	:	4 (Rohtak, Hisar, Gurugram and Ambala
Districts	:	21(Panchkula, Ambala, Gorgaon, Hisar
	:	Karnal, Kurukshetra, Panipat, Sonipat, Jind
	:	Kaithal, Sirsa, Yamunanagar, Fatehabad
	:	Rohtak, Jhajjar, Rewari, Mohindergarh
	:	Bhiwani, Mewat, Palwal, Faridabad
Sub-Division/Tehsil/ Sub-Tehsil	:	173 (54 Sub-Division, 75 Tehsil and 44 Sub- Tehsil)
Blocks	:	119
Cities/Town	:	106
Villages	:	106
Parliament Member	:	15 (10 Rajya Sabha and 5 Lok Sabha)
Legislature	:	One House Legislature
Legislature Members	:	90 (17 reserved)
Zila Parishad	:	21
Panchayat Samities	:	119
Gram Panchayat	:	6083
Total Population	:	25,353,081 (2.09 of India's Population)
(According to Census 2011)		
Rural Population	:	15,029,260 (71.1% of the state's population)

Urban Population (Population)	:	6,115,304 (28.9% of the State's Population)
Male Population	:	13,505,130
Female Population	:	11,847,951
Population Growth Rate	:	19.90% (2001-2011)
Highest Population Growth Rate	:	Gurugram (73.90%)
Lowest Population Growth rate	:	Jhajjar (8.70%)
Sex Ratio	:	877 Female per 1000 Male
Birth Rate (2008)	:	23/1000
Death Rate (2008)	:	6.9/1000
Child Death Rate	:	54/1000
Density	:	573 per sq. km
Highest Density	:	Faridabad (2,298)
Lowest Density	:	Sirsa (303)
Literacy Rate	:	76.64%
Female Literacy	:	66.77%
Male Literacy	:	85.38%
Position in Literacy at National Level	:	22
Services Holders	:	39.6% of total population of the state

Source: Singh Jagjeet, Haryana Samanaya Gyan, Arihant Publication, New Delhi

Administrative Set-Up of Haryana

Haryana is being divided into four divisions; Ambala division with four districts, Gurgaon division with six districts, Hisar division with five districts and Rohtak division with six districts. It has 21 districts, 54 Sub-divisions, 74 Tehsil, 44 Sub-

tehsil, 119 Blocks, 154 towns, 6841 villages (census 2011), 6155 Panchayats, 14 Municipal Council 9 Municipal Corporations and 51 Municipal Committees. From the political point of view it has 5 seats in Rajya Sabha , 10 seats glass container industry, orient fans, Yahama Moters and many others. There are more than 80,000 small scale units in this region Haryana is the second highest food grain producer in the country after Punjab. Agriculture is the main occupation in Haryana. 75% area of Haryana is irrigated through tube wells and canals. Haryana made significant contribution in Green Revolution. It has Asia's biggest agriculture university. Two - third of its population engaged in agriculture. The state is also called the 'Green Bowl' of India. The main crops of the state are sugarcane, rice, wheat and cotton⁸³ Dairy farming is also a main sector in Haryana. There is a saying in Haryana ' *Desaan main des Haryana, jitdoothdahikakhana* '. The availability of milk per capita per day in Haryana is 660 grams. Some part of Haryana comes in the in the Lok Sabha, 90 constituent assemblies and 21 Zila Parishad⁸⁴

District Rewari Historical background

The original founder of the rewari is Raja karan Pal, the son of Chattra Pal and the nephew of the great king Prithvi Raj. But the present of is established around 1000 A.D. by Raja Rao or Rawat after the name of his daughter, Rewati. It has great possibility the Rewari had been a part of many extensive empires like the Mauryes, the Guptas, the Pushpabhutis and Gujjar Pratiharas. Three inscriptions have been found from a village Gurawada, 20 km from Rewari. These inscriptions are possibly a part of temple of 9th -10th century. In 1206 Qutab-ud-din Aibak, the general of Shihab-ud-din Ghuri laid the foundation of Turkish rule. Rewari was the part of his new kingdom. After that Akber's successor Iltutmish divided the kingdom into many Iqtas and Rewari was one of the Iquta and this arrangement remained till 1290. After that Khaljis and Tughluqs ruled over it respectively.⁸⁵

In 1808-1809 when Rewari was under the control of Tej Singh the estate of Tej Singh took over by the East India Company and the ruler was allowed only to have fifty-eight villages. Tej Singh died in 1823 and the people of almost all section were not satisfied with British rule. As result the revolt of 1857 took place, Rao Tula ram was

⁸³www.haryanaagriculture.nic.in

⁸⁴<http://nidm.gov.in/PDF/DP/HARYANA.PDF>

⁸⁵http://dcmsme.gov.in/dips/har_rewari.pdf

the leader from Rewari in this revolt. He took control over the area and set-up a large workshop for manufacturing of ammunition and guns. Tula Ram became the Raja and Gopal Dev his commander-in-chief. He collected revenue and send help to Bahadur Shah Zafar to fight against British rule. But on 20 September 1857 British force took control over Delhi and soon after Tula Ram and his followers were also destroyed by British General Showers.⁸⁶

Rewari was divided into many parts after the revolt of 1857 and the divided parts of Rewari were merged into Nabha, Patiala and Jind states.⁸⁷ in 1857 Rao Tula Ram was the ruler of Rewari, who palyed an important in the revolt of 1857. Rewari took over by the british government and made a part of Gurgaon district of Punjab. In 1972 it transferred to Mahendergarh district and changes in 1989 made Rewari a separate district.

History behind the Name of the District

The History of Rewari is similar the History of Delhi. During the period of Mahabharata there was a king named Rewat. The King had a daughter and her name was Rewati. But the father of ‘Rewati’ used to call her ‘Rewa’. After the name of his daughter the king founded a city named Rewawadi. When Rewa became adult she got married with Balram the elder brother of Lord Krishna and the King gave the city “Rewa Wadi” to his daughter as dowry. Later “Rewa Wadi” came to known as Rewari

Rewari District at a Glance

Geographical Location	:	76 ⁰ .0’ to 76 ⁰ .5’ E longitude and : 27 ⁰ .52’ to 28 ⁰ .50’ N latitude
Map Direction	:	South in Haryana
Formation	:	1 st November 1989
Area	:	1594.0 sq. km
Sub-Division	:	3 (Bawal, Kosli, Rewari)

⁸⁶http://dcmsme.gov.in/dips/har_rewari.pdf

⁸⁷<http://rewari.gov.in/dplan1.pdf>

Tehsil	:	3 (Bawal, Kosali, Rewari)
Sub-Tehsil	:	5 (Dharuhera, Dahina, Nahar, Manethi, Palhawas)
C D Blocks	:	5 (Rewari, Khol, Jatasuna, Bawal, Nahar)
Municipal Council	:	1(Rewari)
Municipal Committee	:	2 (Rewari, Dharuhera)
Market Committee	:	2 (Rewari, Kosli)
Villages	:	412
(According to Census 2011)		
Total Population	:	900,332
Male Population	:	474,335
Female Population	:	425,997
Density	:	565 sq. km
Population Growth	:	17.64%
Proportion to Haryana Population	:	3.55%
Sex Ratio (per 1000)	:	898
Child Sex Ratio (0-6 Age)	:	787
Average Literacy	:	80.99
Male Literacy	:	91.44
Female Literacy	:	69.57
Total Child Population (0-6 Age)	:	113,893
Male Population (0-6)	:	63,743

Female Population	:	50,150
Literates	:	636,947 (12.65%)
Male Literates	:	375,453 (13.44%)
Female Literates	:	261,494 (11.77%)

Source: <http://www.census2011.co.in/census/district/224-rewari.html>

Administrative Set-up

As far as the administrative set-up of Rewari district is concerned it has two sub-division; Rewari and Kosli , three Tehsil, five sub-tehsil, five block, one municipal council, two municipal committee, two market committee and 412 villages.

Table- 1.1:Administrative set-up of Rewari District

Division of Rewari District	Name
Sub-division	Rewari 2. Kosli 3. Bawal
Tehsil	Rewari 2. Kosli 3. Bawal
Sub-Tehsil	Dharuhera 2. Dahina 3. Nahar. 4. Manethi 5. Palhawas
CD- Blocks	Rewari 2. Khol 3. Jatusana 4. Nahar 5. Bawal
Minicipal Council	Rewai
Municipal Committee	Bawal 2. Dharuhera
Market Committee	Rewari 2. Kosli
No. of Villages	412

Source: <http://rewari.nic.in/districtprofile.html>

Education

In the field of education Rewari District is one of the best districts in the state. The average literacy of the district is 336,947 (80.99 percent) having 375,453 (91.44 percent) male literacy and 261,493 (69.57 percent) female literacy.⁸⁸ Presently the District has 10 collages, 195 Senior secondary and High Schools, 117 Middle schools

⁸⁸<http://www.census2011.co.in/census/district/224-rewari.html>

and 534 Primary Schools.⁸⁹ The district also has many reputed private schools, polytechnics and engineering collages.

Profile of Rewari Town

Rewari city is govern by Municipal Corporation and a city of Haryana. As per the census of 2011 the total population of Rewari city is 143,021 having 75, 764 male population and 67,257 female population. The total number of literate people in the city is 109,309 of which 47,937 are female and 61,372 are male population. 86.54 percent is the average literacy rate in the city with 92.48 and 79.97 percent male and female literacy respectively. Sex ratio in the city is 888 per 1000 males and the child sex ratio is 778 per 1000 boys. The child population between the age group of 0-6 is 16,716 with 7,316 girl child and 9,400 boy children. The child population constitutes 11.69% of the total population of the city as per the census 2011. There are a big number of slums in the city having almost half of the total population of the city. The main religion of the city is Hinduism. 97.19% population of the city is Hindu. Besides Hindu there are also the followers other religion in the city like Islam, Christianity, Jainism, Sikhism and Buddhism.⁹⁰

Rewari City at a Glance

State	:	Haryana
City	:	Rewari
Government	:	Municipal Council
Total Population	:	143,021
Male	:	75,764
Female	:	67,257
Children (0-6)	:	16,716
Boys	:	9400
Girls	:	7,316
Average Literacy	:	86.54%

⁸⁹<http://rewari.nic.in/districtprofile.html>

⁹⁰<http://www.census2011.co.in/census/city/45-rewari.html>

Male Literacy	:	92.48%
Female Literacy	:	79.97%
Sex Ratio	:	888
Child Sex Ratio	:	778

Source: <http://www.census2011.co.in/census/city/45-rewari.html>

1.8. Statement of the Problem

Democracy is the most common form of government. Today most of the countries have adopted the democratic form of government. Democratic government is responsible for the welfare of the people and it is necessary for the successful working of democracy that there should be transparency in the working of the government. Only a strong and inclusive democracy can better serve the need of the people. To make democracy inclusive people should participate at the grassroots level in decision making process and to make democracy strong people should take sound decision. People can make good decisions if they have knowledge about their political system. Today knowledge is regarded as power. Information is a constituent of knowledge. It is the corner-stone on which super structure of knowledge is based. So an informed citizen is a positive feature of democracy and it becomes more important in representative democracy. Today corruption and politics with criminal practices have disfigured the beautiful face of democracy and changed it into kleptocracy. So to stop corruption and criminal practices in politics it is necessary for the democratic system to become more inclusive and strong. Government has introduced many means to make democracy inclusive and strong like right to vote, right to contest election, reservation for women and SCs and STs etc. These means have some positive effect on the working of the democracy but the result of these means is not up to the mark. In India there are many loopholes which make our democracy confined and exclusive. This is against the very spirit of democracy. India is land of villages. Our most of the villages have lack of modernity. Problems have become the identity of our villages. Illiteracy, Poverty, Gender Violence, Witchcraft, Superstition, Diseases, Caste discrimination are the hindrances for a vibrant democracy. So naturally rural people are less aware about their democratic rights .It compels them not to take active participation in a democracy. According to Philo Rural is always suffered with the

notion of 'Other'. So it is necessary to include rural areas in our democratic process. Gender is another phenomena which creates exclusion in our society. It is also a hurdle for an inclusive democracy. So women participation is also important for the success of democracy. Caste is an exclusive phenomena which excludes certain group of people from our society. It weakens the base of democracy. So for an inclusive democracy, the wholistic participation across the group is needed. In present times transparency is must in the working of different governmental department. To bring transparency and make democracy more inclusive government gave Right to Information to its citizen. Right to information is a mean to reshape democracy with positive features. Right to information is a weapon in the hand of those poor people who have been ignored from years. This right is a powerful instrument to curb the irregularities in the administration of a democratic society. This tool can work in a better way if the citizens have adequate information about the provisions of the Act. Having been enacted about ten years ago. It would be appropriate time to know effects of this Act on Indian Democracy. How much positive effect is there in the working of democracy has come after the enactment of the Act? The present study is an endeavor to know is Right to Information is a tool for strong and inclusive democracy. Thus the research problem under the study may be stated as: "RTI as a Tool for Inclusive Democracy with Special Reference of Rewari Town in Haryana"

1.9. Objectives of the study

India is working with democratic form of government for more than half of a century. Democracy is the only form of government in which all citizens enjoy the fundamental rights for their survival. A democratic government is responsible for the welfare of its citizens. A strong democracy can better serve the needs of its citizens. Government of India has introduced many means in last sixty-six years to make democracy strong and inclusive like Right to vote, Right to contest election, reservation for women and SCs and STs etc. A meaningful democracy should have an informed citizenry that is able to participate in the democratic process actively. Information is knowledge and knowledge is regarded as power in the age of technology. Access to information is the basic requirement of a democracy. In the absence of information a person is not able to make sound decisions. In Indian democracy Right to information is another step to make democracy more participatory and strong. The right to Information came into existence in 2005. The

objective of this legislation is to make available government records for all citizens of India to bring transparency and accountability. This legislation is not merely in records it includes the penalties for the concerned government employee who does not provide information within the stipulated time period. The act came into existence before ten years ago. This study is an attempt to explore the role of Right to Information to make Indian democracy more inclusive. The main objectives of the study are as under:-

- To know the gender inclusiveness through RTI.
- To know people's participation in democracy through RTI from rural and urban area.
- To know caste inclusiveness through RTI.
- To know the accountability/transparency of Govt. officials through RTI

1.10. Hypotheses of the Study

The study is based on the assumption that Right to Information is making democracy inclusive. It has made the people aware about their rights and their power. Under this right people have made the government responsible towards the people. This right has played a great role to solve the problems of the poor people. This right has connected the people with the decision of bureaucrats and public servant that shows the real power is in the hand of common people.

The main hypotheses of the study as under:-

- RTI effectively promotes the inclusiveness in democracy.
- The accountability and transparency of Govt. Officials is increased through RTI.

1.11. Methods and Methodology

The present study applies different tool of methodology e.g. historical, descriptive, observatory, analytical and empirical and is based on both primary and secondary sources. From historical perspective the history of RTI in the world and the journey of RTI Act in India have been explored. The study has applied descriptive tool to describe the different provisions and features of Right to Information Act. The study has also applied analytical tool to analyses the positive effect of RTI in making democracy real and inclusive. Case study of Rewari town has been applied to grasp a

better understanding of Right to Information. The present study is mainly based in empirical data related to the RTI applicants and APIOs and PIOs of the government offices of Rewari town. The researcher get a list of all the government offices/departments of Rewari town from ADC office which are 71 in number. Then she club the offices/department according to the nature of the work they do with the help of ADC office and get a list of 46 government offices/department. Keeping in view the limitation of the time and money the researcher take half number (23) of the total govt. offices i.e. 46 through random sampling method. Then the researcher collected year wise detailed information about RTI from the selected 23 offices/departments from 2007 to 2015. The total number of RTI applied in 23 selected offices/departments is 12500. It was not possible for the researcher to contact all the 12500 applicants and obtain data from them therefore it is decided to take 2 percent applicants of the total 12500 applicants which is 250. The researcher draw a sample of 250 RTI applicants in selected 23 offices/departments with the help of quota sampling technique. The total number of RTI applicants in each of the office/department from 2007 to 2015 is indicated against the respective offices/departments.

Table: 1.2: Total no. of RTI Application in selected public authorities During the study period (2007-2015)

1	Treasury office	101
2	District Planning Office	07
3	New and renewable office	08
4	District Rural and Development Agency (DRDA)	785
5	Election Office	226
6	Statistical Office	27
7	District Development and Panchayat Office	3046
8	Forest office	150
9	Electricity dept.	1256
10	Employment Office	16
11	Education Dept.	1020
12	Zila Sanik Board	97
13	Marketing Board	222

14	Tehsil	1819
15	BSNL	546
16	Health Dept.	1128
17	Post office	351
18	Food and Supply Dept.	1061
19	Municipal Council	402
20	Women and Child Welfare Dept.	137
21	Mining Office	29
22	Horticulture Office	33
23	Red Cross	36
	Total	12500

The quota of each of the 23 office/department was obtained with the help of following formula:

$$\frac{N1}{N} \times 250$$

Where

N1= Total Number of RTI in Each Office/dept.

N= Total Number of RTI in all the 23 Office/dept.

250 = Sample size

On the basis of the above formula following quota was fixed in each of the above mentioned 23 office/dept. The quota of some office/dept. is in iota in nature which is less than one. So it is decided to take at least one RTI applicant in sample from such offices.

Table 1.3: Selected No of RTI applicants in selected Public Authorities

Sr. No.	Name of the Office/Dept.	No. of Respondents
1	Treasury office	2
2	District Planning Office	1
3	New and renewable office	1
4	District Rural and Development Agency (DRDA)	15
5	Election Office	4
6	Statistical Office	1
7	District Development and Panchayat Office	60
8	Forest office	3
9	Electricity dept.	25
10	Employment Office	1
11	Education Dept.	22
12	ZilaSanik Board	2
13	Marketing Board	4
14	Tehsil	36
15	BSNL	10
16	Health Dept.	22
17	Post office	7
18	Food and Supply Dept.	21
19	Municipal Council	8
20	Women and Child Welfare Dept.	2
21	Mining Office	1
22	Horticulture Office	1
23	Red Cross	1
	Total	250

Having decided the number of specified RTI applicants in each of the 23 office/dept., the specific respondent were obtained with the help of lottery method. The list of RTI applicants is obtained from selected 23 office/dept. To obtain primary data from the above respondents the researcher framed an interview schedule containing 19 items (Annexure-I)

The researcher also framed an interview schedule for APIOs and PIOs to get primary data from them which contain 32 items (Annexure-2). The researcher collected data from 38 APIOS/PIOs.

Table 1.4: No. of PIOs/APIOs in selected (23) public authorities.

Sr No.	Name of the Office/Dept.	No. of Respondents
1	Treasury office	1
2	District Planning Office	1
3	New and renewable office	1
4	District Rural and Development Agency (DRDA)	1
5	Election Office	1
6	Statistical Office	1
7	District Development and Panchayat Office	2
8	Forest office	1
9	Electricity dept.	7
10	Employment Office	1
11	Education Dept.	5
12	ZilaSanik Board	1
13	Marketing Board	1
14	Tehsil	1
15	BSNL	1
16	Health Dept.	4
17	Post office	1
18	Food and Supply Dept.	2
19	Municipal Council	1
20	Women and Child Welfare Dept.	1
21	Mining Office	1
22	Horticulture Office	1
23	Red Cross	1
	Total	38

Secondary sources of information used for the present study includes the books, journals, reports, unpublished researches etc. For obtaining secondary information beside the Central University of Haryana Central Library, the researcher visited different libraries including the library of Jawaharlal Nehru University, library of Maharishi Dayanand University, library of Kurukshetra University Kurushetra, District Library of Narnaul and Rewari, library of Indian Institute of Public Administration.

1.12. Limitation of the Study

The study tries to reveal that to what extent Right to Information have made Indian Democracy inclusive with special reference to Rewari town in Haryana. Despite of the best efforts of the researcher 30 RTI applicants did not cooperate to fill the interview schedule. So the present study is based on the responses of 220 RTI applicants. The researcher tried to find out the contribution of RTI to Inclusive democracy in terms of gender, developmental background (rural, urban), Caste (SC, BC, Gen) of RTI Applicants and performance of administration (accountability and transparency).

1.13. Significance of the Study

The present study makes a sincere effort to analysis the effect of Right to Information Act 2005 on different socio- developmental cleavages and identities. It also focuses on the changes occurred due to RTI in the response of government machineries to the above groups.

1.14. Chapterisation

Introduction

Right to Information: World Scenario

Evolution of Right to Information in India and main provisions of RTI Act 2005.

Data analysis

Conclusion and suggestions