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Good Governance and Right to Information

Dr.Mahesh Chand Gothwal, Sandeep Singh

Assistant Professor (Public Administration), Babu Shobha Ram Government Arts College, Alwar, India

Research Scholar, Department of public administration, Raj Rishi Bhartrihari Matsya University, Alwar, India

ABSTRACT: When we discuss the welfare state, the phrase "Good Governance" is frequently brought up as an accompanying concept. The concept of a welfare state may become a reality when the functioning, methods, and goals of the state are geared toward the citizens. If governance operations are carried out in accordance with such ideas, then we may assert that good governance has been developed. However, there are certain instruments that may be used to build or accomplish good governance. One of these is called the Right to information, and its primary objective is to ensure that all the citizens have access to information from public authorities. The Right to information Act is able to accomplish one of the pillars of Good Governance by operating in this manner. The discussion of how this Right to information act has been able to bring about openness and accountability in the governance, hence building Good Governance, will be the primary subject of this particular piece of writing. The Right to information Act, as it stands right now, as well as its possible evolution in the future, have both been covered in this article.

KEYWORDS: Welfare State, Public Service Act, Good Governance, Responsiveness

I.INTRODUCTION

The people, acting collectively, hold ultimate power under a democratic system. They are also able to remove the administrations that they have appointed. They are both in favor of and opposed to the policies in question. Democracy is crippled by widespread ignorance, which is the adversary of any sensible choice. As a result, no republic can survive if the people is kept in the dark regarding the procedures, policies, and performance of the government and of public organizations. In his work Arthashastra (which was written about 300 B.C.), Kautilya proposed a welfare state. According to him, a king is expected to conduct himself in the most trustworthy manner possible: 1 "In the happiness of his subjects lies his happiness; in their welfare, his welfare; whatever pleases him (personally), he shall not consider as good, but whatever makes his subjects happy, he shall consider good." Good governance and the access to information or the system for delivery of services lie close to one another and complement one another. Without sufficient authority, there can be no information regime or the service supplied to a populace. This is the essential condition of democracy, and it is impossible to conceive of democracy existing without the free flow of information and service delivery to the good public governance. The word "good governance" is a relative concept that refers to the desired manner in which public institutions handle public affairs and manage the resources that are at their disposal. The idea emphasizes that it is the role of governments and other governing organization's to cater to the requirements of the general populace as opposed to the requirements of certain groups within society. The concept of "good governance" therefore arises as a model to compare weak economies or political bodies with viable economies and governmental institutions, and it does so by contrasting the two using the idea of "good governance." In the context of societies and nations that are still in the process of developing, the concept of good governance refers to the delivery of services that are effective, inexpensive, and free of corruption. This is made possible by the government's promotion of economic and social development. The purpose of this study is to investigate, from the standpoint of good governance, the importance of the Right to Information Act.

When analyzed and compared with other freedom of information laws around the world, the RTI Act of 2005, which was passed to usher in a new era of transparency and open government, clearly reveals a few distinct characteristics that are provided for to ensure the effective implementation of this right in the Indian scenario. This act was enacted to bring about a new era of transparency and open government. The establishment of constitutional constraints on the extent to which the government can exercise its authority is considered to be one of the most basic foundations of just democratic governance. This type of limitation is effectively enforced in the form of essential characteristics in the Indian Constitution. Access to official information held by public authorities is the criterion for an efficient and robust representative democracy. The right to information is an individual human right and is a potent weapon in the hands of the general public who can use it to keep a check on the bodies that govern them. Access to official information held by public authorities is the criterion for determining whether or not a democracy is efficient and robust. As a result of the introduction of the bill, government employees are now held accountable for their functions, duties, commitments, and obligations toward the general public. We can realize the goal of good governance if we are diligent in carrying out the requirements of this Act.

II.OBJECTIVES

1. To investigate and analyze the notion of having a right to information as a tool for influencing governance, as well as to determine whether or not there is another approach that might be used instead of using the same tool.
2. To conduct research on the complaint's resolution process outlined in the Act, which is available to applicants.
3. In order to examine the modifications that were introduced into the existing act in the context of the current social environment and to determine how successful the same adjustments would be.
4. BASIC PRINCIPLES OF GOOD GOVERNANCE

Governance is typically defined as including civil society and the private sector in the administration of a nation's affairs. This indicates that the responsibility for handling a nation's affairs is not limited to the government alone, but rather involves a wide range of stakeholders, such as the government, local governments, the private sector, non-governmental and community-based organizations, the media, professional associations, and other members of civil society. Therefore, each actor has a role to play in the administration of a nation's affairs. The basic responsibilities of the government should always be front and centre in any conversation on effective governance. This will involve the upkeep of law and order, the enforcement of justice, and the provision of welfare to members of society who are disadvantaged politically and socially in the sense of offering them a safety net. Once again, it is clear that these primary responsibilities have been neglected throughout the years as a result of his eagerness to do a thousand and one other tasks. It is possible to say, with complete sincerity, that the person who controls the least is the one who is most effective. Even after 50 years of independence, India still projects an image of squalor, filth, analphabetic, and destitution. This image might have been avoided if this notion had been implemented in administration throughout all of these years. The most important question is how well prepared we are to learn from our experiences in the past and apply those lessons to the future. To begin, it is imperative that it be understood that the concept of good governance in the contemporary sense of the word encompasses a much broader scope than simple administrative reforms. In addition to that, this encompasses a far larger quantity of land and content than administrative changes. The ethical foundation of a government is one of the most important aspects of good governance, and this aspect of governance has to be evaluated in relation to certain criteria and goals that have been established. It examines the operation of the specified part of society from the perspective of the stakeholders, beneficiaries, and consumers who are already familiar with it. It is imperative that it have rock-solid anchors in order to uphold all of the societal standards and goals. The term "good governance" applies to all facets of society, including the executive branch, the legislative branch, the judicial branch, the media, the private sector, the public sector, cooperatives, businesses incorporated in accordance with the Societies Registration Act, trusts that have been duly registered, organizations like trade unions, and lastly, nongovernmental organizations (NGOs). Both place an equal emphasis on maintaining public honesty and openness.

The right to information (RTI) is considered a fundamental human right and is a powerful tool in the hands of the general public, who can use it to control the institutions that regulate it. The development of a country is dependent on the free flow of information within the government and to the citizenry. The RTI is a fundamental human right. "Sunlight is the greatest disinfectant," and an educated population provides the foundations of the new democratic society. [Citizens] are the key to the future. It is important to remember that, in one of its early resolutions 59(1) of 1946, the United Nation General Assembly (UNGA) declared that "Freedom of information is considered as a fundamental human right and the benchmark of all the freedoms to which the UN is committed." When the people are able to participate in the process of making political decisions and formulating policies because they are armed with facts, this adheres to the true meaning of democracy. It is also important to remember that "Open Government is the new de facto Right to know becomes a necessity for the poor, ignorant, and illiterate masses in a country like India, which is committed to the socialistic pattern of society." When we talk about good governance, transparency, accountability, people's participation, informed citizens, etc. are the basic and first issues that come to mind, and these are the core principles about good governance. In a country like India, which is committed to the socialistic pattern of society, right to know becomes a necessity for the masses.

The objectives which lead the way to good governance are:

Greater Transparency: The rights found in different parts of the RTI Act undoubtedly render the role of public authorities clearer. For example, the citizen has a right to: under section 2(j) of the act:

- Inspection of work, records, and documents
- Taking notes on extracts or copies of the records or documents
- Taking a certified sample of material, and
- Acquiring information in electronic form, if it is available

In accordance with the provisions of subsection 4(1)d) of the Act, the parties in question are expected to provide the public authority with an administrative and quasi-judicial decision. According to subsection (1) of section 20, the commission has the authority to levy fines or propose disciplinary action against information providers if it is determined that the material in question is acting as a barrier to the free flow of information. In other words, the people who drafted this Act intend to make certain that the bottleneck does not become a barrier to the unrestricted flow of information to the general public. People also have a greater understanding of the achievements of their elected officials, as well as the contribution these officials make to the maintenance of a healthy democracy and the administration of democratic projects. A person who requests information is not required under the Act to furnish themselves with any justifications or numerous extraneous facts, which promotes more RTI filing and, as a result, increases the level of openness in government. This is one of the most essential characteristics of the Act. Nevertheless, there is a disadvantage associated with this characteristic as well. There are some people who take advantage of this privilege, but that number is much smaller than the positive impact it has.

Increased Accountability: One of the many beneficial aspects of RTI is that it increases accountability by holding public authorities responsible to the general people. This helps to improve participatory democracy. Under Section 4(1)(d) of the Act, every public authority is required to explain its administrative and quasi-judicial judgments to the individuals who are impacted by such decisions. This helps to mitigate the possibility of the authority's decisions being arbitrary to a significant degree.

Right to Information and Good Governance

The Right to Know Act is a game-changing piece of legislation that lifts the veil of secrecy that has been placed over the administrative process. It is an efficient method for advancing democratic principles and ideals. The act constitutes an effective weapon in the battle against corruption. The Second Administrative Reform Commission had been aware of the significance of this fact, and as a result, they had developed a comprehensive plan for reforming the public administrative system. Right to Information: Master Key to Good Governance is the title of the first report that was produced by the second Administrative Reform Commission that was established by the government of India. 9 Openness and accountability are defining characteristics of good governance, and the most effective method for ensuring transparency and accountability in government is to encourage expanded and informed engagement on the side of the populace. The people are the most important stakeholder in government, and they have an essential part to play in the process. Therefore, it is absolutely necessary for individuals to have the right to know what the government is doing. In the parts that follow, this article will explore how the RTI legislation has empowered common people, promoted good governance, improved participatory democracy, and reduced corruption.

Promotes transparency and good governance

The right to information gives individuals the ability to monitor the performance of their governments and those serving in public posts. The public ought to be made aware, in an open and transparent manner, of what is going to happen as well as what has already occurred. Any effective government must be built on a foundation of openness and honesty. The public has a duty and a right to be informed about the goals and initiatives of the government. Access to information is a major enabler of transparency, and transparency refers to the availability of information to the general public and clarity about the functioning of government institutions. It is imperative that all forms of communication from the government be made available to the public. The purpose of the Right to Information Act is to encourage accountability and openness within the government by opening up the process of decision making at the various levels of government. Despite the fact that some branches of the federal government are excluded from the provisions of this act, information may still be requested if it relates to the violation of human rights. Even information from a private authority must go via the controlling authority before it can be requested, and the controlling authority is the one that must deliver the notice to the institution that is in question in accordance with Section 11 of the Act. Through their own experiences, most nations have come to the conclusion that expanding the citizens' access to information has a positive impact on the degree to which the government is receptive to the requirements of the community. This, in turn, makes it easier to immediately address the problems of the public, which in turn boosts the people's feeling of goodwill toward the government. The operation of government is never completely transparent anywhere in the world, although nations with capitalist economies and democracies tend to have a higher degree of openness than authoritarian states.

Promotes Accountability

Good governance must always adhere to the principle of accountability. It is impossible to determine the cause of any failed progress when accountability is lacking. It is not just the government that must answer to the people; the institutions of the business sector must do so as well. Right to information act brings accountability and transparency in the administration. Accountability involves the survival of a mechanism that ensures both political and officials are answerable for their actions, performances, and use of public resources. Information is power, and right to information act brings accountability and transparency in the administration. They would lose all of their power and authority if

they are unable to maintain accountability. The RTI Act gave the public the power to demand definitive and official information about the works they have done or the absence of work they have done. Therefore, accountability in government always leads to increased effectiveness and a greater sense of duty among officials. 118 In its current iteration, the RTI Act is already powerful enough to go after the foundations upon which corruption is built. As long as its seeds are planted at the highest level, there will always be corruption at the lesser levels. This cannot be avoided. It is possible to utilise the RTI Act to uncover the seeds of corruption, which can then lead to a reduction in instances of corruption at lower levels.

Participation

The idea of participation is to include every member of a community in the process of governance. A strong foundation for effective government must be laid by both men and women. Representative democracy does not mean the rule of a chosen few; it must take into interest of all sections, particularly the most vulnerable sections in the society. Without the participation of the people, the Right to Information will continue to be a non-starter. There are many different ways to define participation. On the one hand, some researchers consider participation to mean simply engaging with any particular activity (Bishop & Davis 2002; Paul 1987). On the other hand, researchers define participation as a process through which people influence and share control over development initiatives (Arnstein 1971; Shand & Arnberg 1996; World Bank 1996). The right to information act establishes a connection between the people and the government. For there to be good governance, it is necessary to allow for the participation of civil society in the process of formulating development strategies, as well as the participation of communities and groups that will be directly impacted by these strategies in the process of designing and carrying out the projects and programs themselves. Even in situations in which a project would only have a secondary influence on a certain area or demographic group, there should still be a consultation procedure that takes those people's opinions into consideration. Citizens who have an understanding of public affairs and the activities of their government are in a better position to have their voices heard on matters that have an impact on their lives; in other words, they may participate in the operations of their government. The right to knowledge empowers individuals to participate in political and economic decision-making, which in turn helps to improve democracies. The RTI Act made it easier for everyday citizens to participate in government decisions and actively encouraged them to do so. People in the past had the desire to participate in what are now considered "official activities," but they lacked the means to do so. The Right to Information Act, on the other hand, makes it easier for everyday people to get involved in government.

Accessibility

All parts of the community will have more simpler access to information on government agencies' services, budgets, and policies as a result of the Right to Information, which will make it feasible for information to be easily accessed. A common low-income individual participates in the debate on the government's approach to economic growth. By making it simpler for residents to obtain information, the Right to Information Act helps contribute to the process of nation-building. This is because it narrows the long-standing gap that has existed between citizens and the administration. Every citizen is informed about the day-to-day operations of the government. When individuals have access to information on the delivery of services and other duties of the government, they are aware of what they are entitled to, as well as how and where to demand that they be provided with the services and other benefits to which they are entitled. Prior to the implementation of RTI, the people's participation in government activities was restricted to the election of their leaders, and they had no right to information on the operations of the government. However, the RTI statute provided the general public with a long-overdue right to inquire about the activities of their government, and authorities within that government are obligated to cooperate with individuals in any way possible. The act was accorded the status of a basic right, which may be deduced from the fact that it plays an essential role in ensuring that the government is able to carry out its duties effectively.

Empowerment

It is necessary to decentralize authority in order to guarantee progress in regional domains and the involvement of the people. This concept is sometimes referred to as "people empowerment." Participation in political and economic processes, as well as the capacity to make well-informed decisions, were both severely limited in India prior to the passage of the Right to Information Act. As a direct result of this, commoners continue to be unaware of the various schemes being implemented and are unable to put up a fight when their rights become causality. At the same time, most people are unaware of the procedures and channels through which they can legally acquire the rights to which they are legally entitled from the relevant departments. Michel Foucault, a French philosopher, held the belief that power stems from knowledge, with information serving as the fundamental building block of knowledge. Therefore, in this day and age, where the information revolution is driven by technology, empowerment implies access to information. When it comes to information resources, the first thing a dictatorial government does is try to monopolies them and restrict people's access to them, which goes against the fundamental concept of good governance, which is that information should be free to flow. It is inevitable that the concentration of information will lead to the centralization of power.

Now, with the enactment of the Right to Information act, people are able to participate in the decision-making process, and it enables citizens to be informed about the decisions that the government makes. People are given more influence as a result of the Right to Information Act, which eliminates needless opacity surrounding the decision-making process of the government.

Equity and inclusiveness

Another essential component of successful governance is having this quality. It suggests that everyone is a part of the government, and that individuals do not feel excluded from the main stream of society as a result. Everyone should have the same standing in the decisions that the government makes. In addition, the Right to Information Act does not differentiate between wealthy and impoverished persons in any way, and it applies to all people living in India. It has always played a significant part in the struggle against injustice, cruel action, and unequal treatment of people.

Role of RTI in Reducing Corruption in India

The most difficult problem facing India right now is the widespread problem of corruption. It involves not just those working at lower levels, but also those working at higher levels, such as ministers and bureaucrats. The Central Bureau of Investigation has been tasked with investigating and taking appropriate action regarding a large number of instances of corruption in which ministers were involved. An atmosphere that is characterized by a preponderance of secrecy and a dearth of information fosters the growth of corrupt practices and abuses of power. By fostering openness and accountability, right to information helps to limit such abuses. Corruption is a process that perpetuates poverty and hurts those who are already impoverished. It fosters an atmosphere of mistrust between the people and the government, which has a negative impact on development and puts democratic governance at risk. There is a level of transparency in the operations of governmental departments that has never been seen before as a result of the RTI policy. Because of this, there is a better awareness of the process by which decisions are made, as well as more responsibility on the part of the government. This has resulted in a decrease in the prevalence of corrupt practises throughout the nation. The Prime Minister of India is of the opinion that there is corruption at both the political and administrative levels. In his address to the IAS probationers of 2006 in 2007, Indian Prime Minister Dr. Man Mohan Singh stated that "the barriers of administrative and political corruption should be tackled by the upcoming bureaucrats and quality of governance be improved at all levels to build an India 'worthy of our dreams. " If there are obstacles, then there are obstacles in our nation, in the quality of our government, and in the procedures of our governance. It is a well-known reality that there is a significant amount of corruption in both the political and administrative spheres of society. "No drive against corruption can succeed unless or until the government itself is firmly committed to the task of weeding out dishonest and corrupt officials, irrespective of ranks and status," Hoshiar Singh and Mandir Singh, the higher authority to control the corruption from, Dr. Man Mohan Singh government has rightly remarked that "No drive against corruption can succeed unless or until the government itself is firmly committed to the task of weeding out dishonest and corrupt officials." The penalty for corrupt behavior should be severe; at the very least, an individual should be fired from their position. Therefore, the right to information is an essential instrument and a powerful weapon in the hands of the ordinary people in the battle against corruption. Because to the RTI, the functioning of the government has been much more streamlined, transparent, responsible, and participatory to the general populace. At the end, we claim that RTI creates a pathway to the people, through whom he connects to the government, so transforming governance into good governance.

Tool of good governance: Right to Information Act

The 12th of October, 2005 is going to be recognized as the beginning of a new age in which the ordinary man in India is given more authority. The purpose of the Act 2005 was to make the government more open and responsible; it was anticipated that making proper use of the Act would, in the long term, reduce instances of corruption. A nameless citizen is now blessed with a tool thanks to the passage of the Right of Information Act on the aforementioned date. With the help of this tool, he can now demand from the high and mighty in government to know the specifics of every action they take, professing to do so on behalf of the people. This information was previously unavailable to him. - "if secrecy were to be observed in the functioning of government and the processes of government were to be kept hidden from public scrutiny, it would tend to promote and encourage oppression, corruption, and misuse or abuse of authority for it would all be shrouded in the veil of secrecy without any public accountability. But if there is an open government with means of information available to public, there would be greater exposure of the functioning of the government. The vision of an open government is about to become a reality with the passage of the Right to Information Act and its subsequent implementation.

III.CONCLUSION

In the context of governance, the term "transparency" can refer to both the ease with which information can be accessed by the general public as well as the visibility afforded to the operations of governmental bodies. People will have



access to a vital resource that will educate them on what their government is doing and how successful it is, thanks to the right to information, which allows official papers to be seen by the public. This will make the government more responsible to the people it serves. The right to information, which is widely regarded as an essential precondition for effective governance, has resulted in an increased level of accountability on the part of governments and the institutions to which they have delegated the responsibility of upholding the Right to Information Act of 2005. The United Nations' Millennium Development Goals place an emphasis on strengthening the responsibilities of states in the provision of services as one of its primary focuses. Thus, we can clearly conclude that right to information act is definitely an important tool to establish Good Governance. Many of the aspects of Good Governance are established by Right to information act, be it transparency, accountability etc.

REFERENCES

1. R Shamasastri, KautilyaArthashastra, Mysore, Weslevan Mission Press.
2. Transparency and Open Government: Memorandum for the Heads of Executive Departments and Agencies" 74 Fed, Reg.4685 (Jan. 21, 2009) U.
3. R.S. Tiwari, " Good Governance: Populist Democracy to Quality Democracy," IJPA Oct-Dec 2002.
4. Karen SymaCzapanskiy& Rashida Manjoo, "The Right of Public Participation in the Law-Making Process and the Role of Legislature in the Promotion of this Right" 19 Duke J. Comp. & Int. JL P. 1
5. Faizan Mustafa, Constitutional issues in Freedom of Information International and National perspective(Kanishka Publishers, New Delhi)
6. P.S. Narayana and Dr. G.B. Reddy, Freedom of information and law(Gogia Law Publications).
7. Report of the Special Rapporteur, Promotion and Protection of the Right to Freedom of Opinion and Expression, UN DOC/E/CN4/194840.
8. Shilpa, RTI: ATool to Strengthen Good Governance and Tackling Corruption, International Journal of Humanities and Social Science Invention, ISSN (Online): 2319 – 7722, Volume 2, issue 2.
9. M. M. Ansari, Impact of Right to Information on Development: A Perspective on India's Recent Experiences.
10. M. M. Ansari, Right to Information and its Relationship to Good Governance and Development.



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