

# Hassles in Implementation of Legal Provisions of Right to Information Act: A Survey Based analysis of RTI Activities

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## Abstract

One of the most popular, reformative, and ambitious laws in political and administrative history of India is Right to Information Act, of 2005. RTI empowers Indian citizens against any administrative corruption or wrong administration. Administrative and governmental functions including programs and processes related to common man are disclosed by this act and considered to be the only rightful act of India. This work has attempted to follow challenges and hassles in implementation of this act like complex system to accept requests. Issues in filing applications through post, higher rate of fees for application, huge number of Public Information Officers, etc. Therefore, the influence on behavior and mindset of public authorities along with citizens is not as per expectations. Majority of Indian citizens are still unaware of newly acquired power. Huge number of people do not have knowledge about its usage. The sample size of the study was 189 respondents. The data analysis was performed with the help of t-test and mean.

**Keywords:** Right to Information Act – 2005, Public authorities, Central Information Commission, good governance, India

## Introduction

Until and unless government and other public authorities realize to serve their duty sincerely the effective implementation of Right to Information Act is not possible. It is the responsibility of involved agencies to work transparently and efficiently. For successful working of the act, the infrastructure and resources and essential and encouraging. To empower this right of common people of country the issues and hassles must be dealt with and resolved immediately. The act would just remain on paper without widespread awareness and education among people. This act strengthens the controlling role of government which holds wide powers of withholding power.

This work revealed that to main principle of RTI act is accountability and transparency on government's part. One of the major objectives of this act and government is to establish a corruption-free society. Even after the enactment of this act for so long, there is so much corruption in technological field, budgetary, infrastructural field, and many more. It is being underlined by this act that with its proper launching of Open Government Initiatives as it would help in resolving issues related to information (**Salaria, 2014**). Central and State governments must conduct educational programs to involve people for better appreciation of provision of act along with underlining the significance of act. Examining the act has made it clear that there would be more transparency and responsibility in public service delivery with maturity of act. This act was needed in India because of the lacking synchronization of information between citizens and government. Continuous presentation of information from government to public on regular basis, then there is no need for people to ask for further information. RTI officers and activists are facing many challenges like victimization and harassment in the implementation of RTI act. Citizens hold the right to have information from Indian government. However, there is lack of protection and record maintenance. The strength of staff is insufficient for proper functioning of act and officers also have the responsibility of looking after daily work in their department. At present, right to information is steadily but slowly moving toward success. The section of society who have enjoyed facilities of old system is also trying to end honing of act from starting. With the behavior of some information officers, the probability of this law being separated has been fortified (**Sivakumar, 2011**). The hassles faced in implementation of such initiatives include appointing people and developing proper infrastructure to smooth running. Staff turnover is another undeniable challenge. With such pitch, the official's mindset which has been closed and rigid sometimes establishes threat to the society. To bring such access to information systems to public would take time and might face some delays or obstructions. Moreover, political leaders and representative of local government are known to be corrupt might lose opportunities if case relevant information related to schemes or allocation is revealed to public. Though there are many challenges, the advantage of benefits to having information available to every individual is much more than a challenge. Keeping this in mind, extra efforts must be taken to ensure success of act. There is a challenge of cost of startup, as call center of RTI needs system network, efficient equipment, along with skilled workforce who have good

and relevant experience in customer care and service and have good knowledge of RTI act (Borah, 2013).

## Literature Review

**Bhat (2015)** stated that RTI act is a crucial step that ensures participatory development in nation. Taking this act in correct spirit and with proper implementation by government would be the only reason for its success. Citizen of nation must make use of this tool for promotion of responsibility and transparency on part of government and other public authorities. More steps must be taken by government to advertise act to create awareness among people who are unaware or illiterate and living in rural areas of country. Increased usage of Information Technology for country and public records in local government offices should be digitalized for better recovery of information. Such arrangement would surely help in establishment of better relationship between country and its citizen. The act must provide right to people to ask information related to functioning of government to achieve its objectives.

**Sunaina (2018)** found RTI act as a tool that is strong to uphold good governance spirit. The implementation of act must be done ensuring its goals to be fulfilled. An attempt of diluting act's provisions will impact its success. An awareness must be created among citizen through campaigns to help them enjoy its benefits. Getting a huge number of users of act across the country would bring a vital change in positive manner in Indian governance, and would make Indian administration more responsible. Implementation of act would make Indian citizens aware about administration functions and also give them opportunity for taking part in process of decision making. The act promotes democratic ideology with promotion of honesty and clarity in administrative functions. It also decreases the probability of corruption and exploitation by public servants.

**Pillai, Athira, & Vonid (2018)** revealed that for smooth running of real democracy it is essential to have valid and true information. Act facilitates undercover deals, random decisions, manipulation, etc. if there is transparency and honesty in government matters. Indian citizens have the right to receive all information about functioning of nation. Relevance is gained by act to communicate information with more clarity and transparency to people. Act facilitates authority and right to people to access any file, document. Or information that pertains to their operation. It is responsibility of government and its agencies to provide full information in detail

with regards to work and policies or any initiative taken by government or schemes for its citizens. Responses and opinions of people must also be taken by government from citizens to make them feel as a part of government and accept and follow rules and laws. It would also assist to maintain harmony among citizens as well as smooth functioning of system.

**Acharjee (2016)** stated that Right to Information act is a basic right of every individual, author has discussed about how this right simplifies participation of people and how obvious is the subject of its knowledge among people of country to make them more accountable and participative in transparency of government in different sectors. Non-accessibility is RTI user guide for searchers of data, non-accessibility of standard structure of RTI applications, difficult channels of instalment to accommodate utilization of expenses and poorly arranged channels of accommodation for applications of RTI are some of the causes at interest side. RTI being correctly bestowed among people must be known to them for better execution. This can be achieved to huge number of people through television and other sources such as radio, newspaper, circulars, etc. to reach higher number of people.

**Lata (2016)** found three major social and political elements which affect implementation of act, the three elements are social activism, political and bureaucratic culture, and engagement. From social activism and engagement perspective, it is found that invention and committed auditing from technocratic approach on demand side is present since inception of act. Act movement leader and activists have continuously considering and collaborating with state as well as central government to develop policies of act, templates and rules, along with other necessary tools for management of information. Proactive disclosure are promoted, making of records, and its archiving, monitoring, and over sighting and always considering poor people of India and those who have disabilities. India has also been a workshop for monitoring equipment, highly due to civil society and organizations.

**Michener & Worthy (2018)** found that in India the RTI regime is spreading vibrant system including vital active and aware society along with some public sector and political group support. Such group of people were working to build culture of services as well as development of structures for better and efficient regimes of transparency.

**Michener et al (2018)** noted that even the most comprehensive technocratic legislation design might not have the capability to account all possible situation within social and political context. In implementation of RTI act India can be a global leader by reinforcement of political

leadership, will, coordination while undergirding its shortcoming of communication, filling vacancies in administration, reinforcement of monitoring and training, and expansion of management of records system all over the country.

**Pandey (2015)** revealed that every citizen of nation requests to have every information and knowledge about administrative policies and practices of government. A key element of a thoughtful progress is material or information about the progress of nation. This in return make contribution towards a respectable democracy. It is the right of every citizen of country to have information of policies, procedures, and practices of act to achieve goals. RTI can work as an operational tool exploring concerned information helping people to make decisions and taking needed actions to solve issues faced by individual, and society. However, the validity is a major concern for those who are still unaware about their basic rights, and its uses. People have no information about schedules, provisions, schemes, and projects launched by government for benefit of society.

**Singh (2016)** found that access to information and knowledge do promotion of responsibility, transparency, sensitivity, and honesty in administrative function. But it also motivates actual involvement of people in development of democratic governance. The act is considered as a landmark in democratic India attempting to put together a fresh system to ensure transparency and responsibility in functioning of institutions. The root and goal of act is the develop information privileged government where information can be accessed by people within act's provisions. However, to achieve this goal every individual must have proper knowledge and usage of act.

## **Objectives**

1. To know the hassles in implementation of Legal Provisions of RTI act.
2. To know the challenges faced by government in effective implementation of act.

## **Methodology**

Nature of study is empirical. 189 participants were included in study. Questionnaire was structured in nature to collect data. To ascertain result of Mean and t-test applied. Method of sampling was convenience sampling.

**Demographic Result**

Table 1 displays gender of participants, male are 51.85%, and female are 48.15%. Age of participants is, 28 to 32 years are 32.28%, 32 to 35 years are 31.22%, and Above 35 years are 36.50%. With regards to Educational level, Under Graduates are 21.69, graduates are 28.04%, Post Graduates are 20.10%, and professionals are 30.17%. Sources of information are newspaper are 22.75%, television are 24.87%, social media is 31.21%, and friends and family are 21.17%.

**Table1. Demographic Details of participants**

<b>Variable</b>	<b>No. of participants</b>	<b>%</b>
<b>Gender</b>		
Males	98	51.85%
Females	91	48.15%
<b>Total</b>	<b>189</b>	<b>100 %</b>
<b>Age</b>		
28 - 32 years	61	32.28%
32 – 35 years	59	31.22%
Above 35 years	69	36.50%
<b>Total</b>	<b>189</b>	<b>100 %</b>
<b>Educational Level</b>		
Under Graduates	41	21.69%
Graduates	53	28.04%
Post Graduates	38	20.10%
Professionals	57	30.17%
<b>Total</b>	<b>189</b>	<b>100 %</b>
<b>Source of Information</b>		

Newspaper	43	22.75%
Television	47	24.87%
Social Media	59	31.21%
Friends and Family	40	21.17%
<b>Total</b>	<b>189</b>	<b>100 %</b>

**Table2. Hassles and Challenges in implementation of RTI act**

<b>Sr. No.</b>	<b>Statement of Survey</b>	<b>Mean Values</b>	<b>T-Values</b>	<b>Significance.</b>
1.	Lack of knowledge and awareness among people about act	4.21	16.927	0.000
2.	Lack of proper procedures for effective implementation	4.27	17.879	0.000
3.	Issues faced by applicants in filing applications	4.13	16.162	0.000
4.	The quality of information provided to people is poor and low quality	4.10	15.415	0.000
5.	Inadequately trained Public Information Officers (PIOs)	4.00	14.244	0.000
6.	Old and obsolete guidelines and poor record management practices	4.13	15.824	0.000
7.	Non availability of basic infrastructure	4.02	14.419	0.000
8.	Lack of monitoring and review mechanism	3.13	1.846	0.033
9.	Information commissions are geographically spread	3.19	2.665	0.004
10.	PIOs fails to provide proper and timely information to information seekers	3.12	1.713	0.044

Table 2 shows mean values of the “Hassles and Challenges in implementation of RTI act” the first statements of T-test is about lacking knowledge among people, Lack of knowledge and awareness among people about act (mean value 4.21), Lack of proper procedures for effective implementation (mean value 4.27), third statement is about problems in filing applications, Issues faced by applicants in filing applications (mean value 4.13), The quality of information provided to people is poor and low quality (mean value 4.10), fifth statement is regarding improper training of officers, Inadequately trained Public Information Officers (PIOs) (mean value 4.00), sixth statement is about old guidelines, Old and obsolete guidelines and poor record management practices (mean value 4.13), Non availability of basic infrastructure (mean value 4.02), Lack of monitoring and review mechanism (mean value 3.13), Information commissions are geographically spread (mean value 3.19), PIOs fails to provide proper and timely information to information seekers (mean value 3.12). T-value of survey statements with regards to Hassles and Challenges in implementation of RTI act are significant as t-value of statement is positively significant as the value is less than 0.05.

## **Conclusion**

In present society of information and knowledge, development and distribution of information has become substantial in economic, political, as well as cultural activity. Any information including facts about any individual or thing is highly used and needed. To make the act and governance successful it is very important to have transparency and responsibility. It is the goal for facts leading to the passing of RTI Act, 2005. A small but highly significant step was taken by Indian government towards that goal by bringing act into existence. The honest and transparent government can be attained by just authority by acquisition by few of them but by capacity acquisition by all to battle authority when molested. The problems and hassles to some level can be accredited to avoidance of Public authorities and people are unaware about the rules and basic elements of act. Effective implementation of act is impossible without authorities and government to acknowledge that it is their accountability to serve their duties. All agencies along with government are taking lot of efforts in effective implementation of act and to remain transparent. Resources and infrastructure are main elements for effective implementation of RTI act. T-value of every statement in the context of Hassles and Challenges in implementation of RTI act is significant because t-value statements are found to be positive and significance value also less than 0.05.



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