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EFFECTIVENESS OF RTI ACT, 2005 IN PROVIDING INFORMATION: AN EMPIRICAL STUDY OF LUDHIANA

CITY

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MANNAT SABBHARWAL STUDENT KHALSA COLLEGE FOR WOMEN LUDHIANA

ABSTRACT

It's been almost a decade that the Right to Information Act, 2005 has been implemented in the country with the objective of ensuring accountable, interactive and participatory democracy. During this span of ten years, the government has been trying its best to make this Act an effective tool to bring about transparency in operations, tapping corrupt practices and thus ensuring good governance to the masses. But has the Act seen the light of the day that it was envisioned for? The present paper is an attempt to gather the perception of the masses regarding the Act, the ease and hassles in getting information from various government and private bodies, the satisfaction level on the information received and how well it has been accepted as a tool of governance. Appropriate statistical tools have been used to draw inferences and make generalisations.

KEYWORDS

RTI Act, information, transparency, effectiveness, governance.

INTRODUCTION

🕪 he Right to Information Act, 2005 was passed by the UPA government in 2005 to provide for the setting up of a practical regime of right to information for the citizens. Under the provisions of the Act, any citizen may request information from a "public authority", which in turn is required to reply expeditiously to the information seeker with complete and true information. Various information commissions have been set up at the National and state levels to ensure action against the erring "public information officers" and ensure the effective implementation of the act at various levels. The Act facilitates that citizens can now question, audit, review, examine and assess government acts and decisions to ensure that these are consistent with the principles of public interest, good governance and justice. This act promises to promote transparency and accountability in administration by making the government more open to public scrutiny.

In the last ten years, this Act has brewed a total revolution in the manner in which working of organisations is carried out and the record of information is maintained as more and more people have become aware and are using it as a tool to get information from various departments. A survey conducted by a group of RTI activists in Uttar Pradesh revealed that atleast 300 applications were filed under RTI every day and the average time taken to dispose- off an application in 80 percent of the cases was around six months (Indian Express, 2008). But there have also been cases where information seekers were bullied, intimidated and charged exorbitant money to get the information. Also, what has been seen over a period of time, is that almost 75 percent of the applications have been filed by men and by people in the metro cities, primarily on personal issues relating to service matters (Srivastava, 2010).

REVIEW OF LITERATURE

The Right to Information Act, 2005 was enacted by the National Parliament to dismantle the culture of secrecy and to change the mindset of the bureaucrats and political leaders and to create conditions for taking informed decisions (Ansari, 2008). It is a landmark Act which came with the potentiality to change the very idea of governance and the power equation between the common people and the government (Hazra, 2013). Various studies reveal that the basic steps of filing an RTI application was clearly understood by the masses. The citizens felt confident in filing the application on their own and majority of the respondents felt that RTI was a tool to fight corruption. There were very few women who had used the RTI act to get information. Although many of them had used the RTI act for a personal cause, they had also used it as a part of a group petition to question the authorities on societal issues. Some of the users felt that revealing the name of the petitioner was risky and hence wanted NGOs to take up the cause (Raman, 2013).

But in this decade of implementation, the people also faced many problems in the implementation of the provisions of this Act such as poor state of records maintained by the authorities, due to poverty and illiteracy, lack of budgetary allocation in the budget etc. (Ram, 2013)

OBJECTIVES OF THE STUDY

- To measure the awareness level about Right To Information Act among public 1.
- 2. To inquire into the usage of RTI Act by public.
- 3. To evaluate the satisfaction level in gaining information through RTI.

HYPOTHESIS

- 1. There is no difference between gender and awareness level about RTI.
- There is no difference between gender and application filing for RTI. 2.
- 3. There is no difference between awareness level and application filing about RTI.

RESEARCH METHODOLOGY

A well-structured questionnaire has been administered to a convenient sample of 150 respondents of Ludhiana city to gather their responses on perception and effectiveness of RTI as an information seeking tool. Also, problems faced in filing application and getting information from requisite authorities have been evaluated. The data has been analysed using simple statistical tools of mean standard deviation and chi-square.

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ANALYSIS OF DATA

The demographic profile of the respondents to whom the questionnaire was administered is as under:

TABLE 1: DEMOGRAPHIC PROFILE OF RESPONDENTS				
PARTICULARS	Number o	f respondents	Percentage	
Gender				
MALE	65		43	
FEMALE	85		57	
TOTAL	150		100	
Age				
	MALE	FEMALE	TOTAL	%
18-25	12	29	41	27.33
26-32	11	25	36	24
33-40	20	16	36	24
ABOVE 40	22	15	37	24.67
TOTAL	65	85	150	100
Qualification				
	MALE	FEMALE	TOTAL	%
UNDERGRADUATE	21	12	33	22
GRADUATE	30	45	75	50
POST GRADUATE	14	28	42	28
TOTAL	65	85	150	100
Occupation				
	MALE	FEMALE	TOTAL	%
STUDENT	13	30	43	28.67
BUSINESS	20	3	23	15.33
SERVICE	25	19	44	29.33
OTHER	7	33	40	26.67
TOTAL	65	85	150	100

The above table clearly shows that maximum no of respondents were women in the age group of 18 to 25 years who were graduate students. The male respondents were 43 percent in who were graduates and were employed either in business or were students.

The respondents were asked to share their level of awareness about the RTI Act, of which 80 percent of the respondents were aware about the Act while 20 percent of the respondents had no awareness about the Act. Also, almost all the male respondents were aware about the Act while incase of female respondents almost 32 percent of them were unaware about the existence of any such act.

TABLE 2: AWARENESS ABOUT RTI ACT

Awareness about RTI	Male	Females	Total
Yes	62	58	120
No	3	27	30
Total	65	85	150

Further, it was found that there is significant difference between gender and the level of awareness level about the RTI Act (χ^2 = 16.96) Hence the hypothesis that there is no difference between gender and awareness level about RTI stands rejected.

TABLE 3: RELATIONSHIP BETWEEN GENDER AND AWARENESS LEVEL

	Aware	Not Aware	Total	
Male	62	3	65	
Female	58	27	85	
Total	120	30	150	
Chi- Square = 16.96 d.f = 1				

The respondents were also asked to comment on their awareness about the type of right they think that 'Right to information' is. 64.16 percent of the respondents were aware that it has been included as a fundamental right while 7.5 percent of the respondents thought it to be a political right.

TABLE 4: AWARENESS ABOUT TYPE OF RIGHT			
Type of Right	Number of respondents	Percentage	
Fundamental Right	77	64.16	
Civil Right	34	28.3	
Political Right	9	7.5	
Total	120	100	

TABLE 5:	APPLICATION FILED UNDER	RTI

Application filed	Number of respondents	Percentage
Yes	102	85.00
No	48	15.00
Total	150	100

Regarding filing of application under RTI Act, 85.0 percent of the respondents had filed an application with various organisations for getting some information with the help of the Act while 15.00 percent of the respondents had never filed any application under the Act.

TABLE 6: RELATIONSHIP BETWEEN GENDER AND APPLICATION FILING

	Filed Application	Not Filed Application	Total
Male	53	12	65
Female	49	36	85
Total	102	48	150
Chi- Square = 9.66 d.f. = 1			

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The study of the relation between gender and application filing reveals that there is significant difference between application filing by male and female applicants ($\chi^2 = 9.66 \text{ d.} f = 1$). Similarly there is also a marked difference between the level of awareness of the respondents and application filing under the act ($\chi^2 = 79.96 \text{ d.} f = 1$). Hence, gender and awareness level affect the filing of application by the respondents under the RTI Act.

TAE	TABLE 7: RELATIONSHIP BETWEEN AWARENESS AND APPLICATION FILING					
		Not Filed Application	Total			
	Aware	102	18	120		
Not Aware		_	30	30		

Aware 102 18 120 Not Aware 30 30 Total 102 48 150 Chi- Square = 79.96 d.f. = 1

Of the 120 respondents who had sought information under RTI Act at various levels, majority of the respondents (65.8%) had sought information from different government organisations and departments while 19.16 percent of the respondents shared that they had sought information from semi-government bodies and 7.5 percent of the respondents had claimed information from private organisations. Very few (3.33%) of the respondents had sought information related to international relations in the country. Further, majority of the respondents (30.8%) had filed an RTI to expose the malpractices being carried out in the organisation, followed by 29.16 percent of the respondents who had filed the application with various bodies related to personal work and 26.67 percent had filed an application relating to public interest. (Table 8 and 9)

TABLE 8: ORGANISATIONS FROM WHERE INFORMATION SOUGHT UNDER RTI

Organisations from where Information sought	Number of respondents	Percentage
Information from private bodies	9	7.5
Information From Government Authorities	79	65.8
From bodies partly owned by government and partly owned by private sector	23	19.16
Personal information of an individual	5	4.2
Information related to International relations	4	3.33
Total	120	100

TABLE 9: NATURE OF INFORMATION SOUGHT UNDER RTI

TABLE 5. NATORE OF INTORMATION SOCIETY ONDER RIT			
Nature of Information	Number of respondents	Percentage	
Related to personal work	35	29.16	
Related to Public Interest	32	26.67	
To expose a scam	16	13.33	
To expose malpractices	37	30.80	
Total	120	100.00	

The respondents were also asked to list down their problems that they faced in using the RTI Act. 39.2 percent of the respondents felt that the major problem was in obtaining information from different agencies and organisations while 30.4 percent of the respondents faced problems in understanding the provisions of the Act. Very few respondents (9.8 % each) faced problem in writing an RTI Application or in submitting the application to the appropriate PIO or APIO.

TABLE 10: PROBLEMS FACED IN SEEKING INFORMATION	Ν
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Problem	Number of respondents	Percentage
Writing proper application	10	9.8
Understanding the provisions of RTI	31	30.4
Obtaining the information	40	39.2
Submitting application to PIO or APIO	10	9.8
Report to the first/second appellate authority	11	10.8
Total	102	100

The respondents also faced problems in gathering information from these organisations. The major source of problem was incomplete information (35.44 %) and information not provided within the stipulated time period (25.5%). Also, organisations try to invoke the exemption clause (14.7%) and try to escape liability of providing the information or leak the details of the applicant to the concerned affected high ups who further either force the applicant to enter into a compromise or threaten him of dire consequences.

TABLE 11- DROBLEMS FACED IN SEEKING INFORMATION

TABLE 11. PROBLEMS FACED IN SEEKING INFORMATION		
Problems faced	Number of respondents	Percentage
Evoking exemption clauses	15	14.7
Leaking the details of application and applicant	5	4.9
Compromise request	13	12.7
Incomplete information	36	35.4
Life threat	7	6.8
Information not provided within specified time period	26	25.5

TABLE 12: BENEFITS FROM IMPLEMENTATION OF RTI ACT

S.no	Benefits seen	Mean Score	Standard Deviation
i.	Greater transparency	3.32	0.903
ii.	Citizen centric approach to development	3.41	0.77
iii.	Democratization of information and knowledge	3.45	0.92
iv.	Reduction in corruption	3.22	1.02
٧.	Promotion of citizen-Government partnership	2.91	0.89
vi.	Reduction in scams	2.9	0.99

The respondents were also asked to give their perception about the benefits of the implementation of the Act and these responses were recorded on a Likert scale of 1 to 5. Regarding benefits from the implementation of the RTI Act, the respondents highly agreed to the benefit of "democratization of information and knowledge" (3.45), citizen centric approach to development (3.41) and greater transparency (3.32) while they disagree with the fact that implementation of RTI Act has reduced scams (2.9) or corruption.

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TABLE 13: PERCEPTION REGARDING IMPLEMENTATION OF THE ACT
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No of Respondents Percentage of respondents		Percentage of respondents	
Very Good	8	6.66	
Good	12	10.00	
Average	30	25.00	
Poor	40	33.33	
Very Poor	30	25.00	
Total	120	100.00	

Also, the general perception is that the Act has been poorly implemented. The reason for this poor level of implementation has been attributed to low levels of literacy and awareness among the people, non-availability of basic infrastructure for information recording etc., bureaucratic arrogance and the pervasive culture of secrecy in different organisations and departments.

TABLE 14: FACTORS FOR POOR IMPLEMENTATION OF THE ACT

Factors	Number of respondents	Percentage
The pervasive culture of secrecy	18	15.00
Arrogance within bureaucracy	21	17.50
Low levels of literacy and awareness amongst Indian people	36	30.00
Non-availability of basic infrastructure and machinery	36	30.00
Official Secrets Act 1923	9	7.5
Total	120	100

The respondents were also asked to give their suggestions regarding the ways and means to improve the implementation of the Act and these responses were recorded on a Likert scale of 1 to 5. Almost all the respondents agreed to the fact that there should be enhanced accountability of officials concerned, there should be convenience in filing RTI requests and if possible such requests should be accepted online also. There should be external / third party audit of organisations conducted from time to time to ensure that they are following the provisions of the Act as desired. Also, more efforts should be put in by the government to increase the awareness level of the public to different aspects of the RTI Act.

TABLE 15: SUGGESTIONS FOR BETTER	IMPLEMENTATION OF THE ACT

S.no	Improvements Required	Mean score
i.	Creation of RTI implementation cell	3.6
ii.	Annual self-assessments	4.2
iii.	Creation of awareness among general public	4.4
iv.	Improving convenience in filing requests	4.8
٧.	Enhanced accountability of officials	4.9
vi.	RTI portals for online requests	4.8
vii.	Third party audit to ensure compliance with provisions/guidelines of Act by public authorities	4.5

CONCLUSION

As envisioned by the policy framers, the RTI Act has come a long way in bringing about transparency in governance and increasing accountability towards the masses. Also, the much sought after objective of providing access to information has been considerable achieved. But the implementation aspect still needs to be smoothened up by removing the bottlenecks like 'culture of secrecy', 'arrogance of bureaucracy' and improving the awareness among the masses about the applicability of the Act. The government also needs to take stringent action against organisations which fail to designate employees as PIO's and APIO's or follow other norms of the Act in totality.

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