

Right to Information : A Step Towards Accountability

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Independent India inherited an administration which was framed by the British masters to rule the Indians. The Britishers had ruled India for nearly two centuries and for their convenience had set up a bunch of rules to keep their position safe. When India became independent we followed the same colonial rule without making any major changes. Even today, fifty-nine years after Independence, the basic colonial structure of administration persists. The words like His Excellency and His Lordship are still used in official correspondences. Though the red colour of the tape of the files had been changed, red-tapism still deprives the common man from his legal rights. Despite all high sounding words, for everything in Revenue matters we are to affix court fees which was practised in a colonial system. Though article 14 of the Indian Constitution provides, "the state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India", could it be boldly said in free India all the citizens are enjoying equal treatment before law? what percentage of people have the access to know about the affairs of their own government? The fundamental rights as envisaged in the Constitution are still misnomer for majority people. Fifty-nine years after independence nearly forty percent of people are illiterate who even can not give their signature.

Under this background Government of India has enacted the Rights to Information Act, 2005 which has been given effect from October 12, 2005. Orissa Government on its part have also framed "Orissa Right to Information Rules,

2005" for effective implementation of the Act. No doubt it is a step to make the administration more transparent and accountable, but how-far the Act would achieve its objective goals is difficult to pronounce.

Our bureaucratic system functions under the shield of "Official Secrecy Act" and most of the officials are averse to part with any information. Even the legislators, the elected representatives of the people at times are deprived of getting informations in reply to the question they put in the House fourteen days in advance. The concerned Ministers being guided by their respective bureaucratic machinery prefer to shift responsibility by simply saying, "informations are being collected". The Assurance Committee in more than one occasion have expressed their concern over the apathetic attitude of the official set-up. But we don't find any substantial change in the attitude. The grievance cells functioning in different departments have also miserably failed to redress the miseries of the common mass. Then how can we expect good response from the same apparatus? How far the old system would be able to handle the new act is a million dollar question.

A critical analysis of both the Act and the Rule somehow reflects a gloomy picture. First of all a common man of the Indian society is totally ignorant about the functioning of the government to which he has voted to power. Unless he or she has the basic knowledge regarding the budgetary provisions, funds allotted for different projects and schemes or other welfare measures for which

government decisions have already been taken, how can he seek for informations? Second, the procedure prescribed for seeking information looks cumbersome. It has not been specified whether the prescribed forms would be made available to the person living at the grass-root or not? Third, the method of depositing money for the purpose appears to be complicated. It is not practically possible for everybody to go to the treasury to deposit the required fees in shape of treasury challan for filing application. Besides, it has been prescribed to deposit the application fee for first and second appeals in shape of court fee stamp.

Though the persons living Below the Poverty Line (BPL) have been exempted from the fees to file application, both the Act and the Rule are silent whether they would be required to deposit required amount of fees to receive information in shape of print out copies, floppy diskette, C.D. or map and plans. In a state like Orissa about sixty percent people are in the Below Poverty Line category and they do not enjoy even a square meal a day.

Therefore it is more pertinent for the State Government either to change the present structure and thereby exempt the BPL persons from paying any fees at any level or to make budgetary provisions so that government could deposit fees on their behalf.

Another vital aspect on which the state Government should act is to provide adequate training to the Public Information Officers and the Appellate Officials who are so far tuned to deny information to the people under the plea of Official Secrets Act. It is not an easy task for the officials to adopt a total divergent approach. Under the provisions of the Right to Information Act now they are supposed to part with all the informations at their possession except which affect the sovereignty and integrity of the state, which has been expressly forbidden by any court of law or which might cause a breach of privilege of Parliament or the State Legislature.

Another area which draws the government attention is to include all categories of institutions and organisations under the purview of the Act. The non-Government organisations popularly known as NGOs who are handling crores of rupees including the foreign contributions are not accountable to anybody. They should be asked to disclose their income from different sources and the expenditures they make on different projects.

Meanwhile Orissa Government have floated one website through which all informations regarding the functioning of state machinery are available. But compared to the magnitude of four crore population, there are a few fortunates who have access to website. Despite of all claims through manipulations the language dailies of Orissa have not yet covered even two percent of the State's population.

In Orissa over eighty percent of people live in rural areas for whom the modern technology or the advancement of science is nothing but a myth. Most of them are unconcerned to know about the functioning of the government to whom they vote to power. Under such a circumstances what is more needed is to create awareness among the people through various methods of propaganda. The provisions of the new Act alongwith the prescribed forms should also be available to the people at the grassroots.

Though in infancy, the Right to Information Act has raised a new hope to promote transparency and accountability in the Government, no doubt it provides a scope to the people to know the ins and outs of the Government which they choose at the interval of every five years. Let us wait patiently for the seedling to bear fruits.

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