

Right To Information Act: A Tool To Tackle Corruption “Cancer Of Corruption And The Numbering Millennium”

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Abstract: *Corruption is the use of public office for private gains. Today is the greatest enemy of good-governance and causing harm to democracy and development.” Corruption is not accident by product of the system because of the venality of a few but a defining element on which the edifice rests.”It is not likely to be fully eliminated, but the objective is to minimize it so that it becomes an exception and not the rule. Since 1968 many attempts were made in parliament to pass anti-corruption act in India but it failed to include the civil society representatives and there after its implementation and enforcement will present further challenges in a country as vast and diverse as India. RTI act is fast emerging as an effective anti-corruption tool. RTI laws as they are commonly called grant citizens legal rights to access information held by their governments, bringing much needed transparency or opaque functioning of governments.*

I. Introduction

Corruption today is the greatest enemy of good-governance and causing harm to democracy and development. In our country governance depends on three basic pillars of the constitution namely the Legislative which makes the laws, Judiciary which interprets the laws and the Executive which include both the political as well as bureaucracy to implement the laws. Corruption is the use of Public office for private gains. Public servants, who include both the political executive and bureaucracy, are in a special position to practice corruption because of the public office they occupy. Over the years, successive governments at the Centre and in the State have spent crores of rupees on various programmes and schemes..... Had these resources spent properly? We would solve many problems in education, Health care, infrastructure and been able to make a deeper dent in poverty and unemployment which has robbed millions of countrymen from their right to live decent life.

India inherited its legacy of corruption from its ancient ruler, who always expected some gifts in the form *Nazarana* from their subjects. It has become a social phenomenon. There is hardly any area of activity that has remained wholly free from the impact of corruption. Infact, corruption has now been institutionalized has become a commonly accepted way of life. Eg... admission fee or high donation, Pre-school/Kindergraten classes in education, selling state secrets, pay-offs, bribes, commissions, under the table payments..... Corruption is not likely to be fully eliminated, but the objective is to minimize it so that it becomes an exception and not the rule, by turning it from a low risk and high return activity into a high risk to low return activity. It is a function of all the three pillars. Corruption has the potential to flourish where rents are high, discretion, extensive and reporting and monitoring are poor. Corruption is the result of a vicious cycle. It starts with political corruption and leads to bureaucratic corruption.

Key Factors Encouraging and Promoting Corruption:

Lack of Transparency:

The degree of secrecy and confidentiality, which prevails in various aspects of decision-making among officials in India, particularly at higher levels, immensely exceeds. It has become a tradition that a file or any paper to be kept ‘secret or confidential’. Many of these scams which are taking place every day become possible only because of lack of transparency in these official dealings. People are kept in dark.

Lack Of Accountability:

Public officials are able to get away with bribes is that there is no law, rule or convention, compelling or encouraging public officials to lay open their income and assets to the people. It is generally found that a very large number of officials and ministers have unaccounted assets and incomes disproportionate to their legal sources of income. Many officials and politicians do not file their income-tax returns, nor are they held accountable, and this helps to get away. If this information is available to the public, there will be a number of

people, who would be exposed by their possession of the illegal assets and income. It would be a very salutary effect on curbing the menace of corruption in public life

Lack Of Institutional Machinery:

The introduction of a system of Lokpal at the Center level this has not been implemented so far. There is no institution to which members of the public can lodge complaints about the corrupt and unethical acts of public officials. Unless there is institutional machinery which is not under the influence and control of these public officials and is independent of them and has the power to investigate and punish these officials, they will not be really accountable. To have Lokpal at the centre, state and districts.

Lack Of Information:

A general legend is that every official document or file is an official secret. So many deals are kept in dark from the public. Therefore, critical reforms or changes in law is needed to make the public offices and public officials much more transparent than they are at present. There must be a system by which any member of the public can access the information to tackle the corruption i.e. Right To Information Act 2005.

Corruption In India And Its Impact On Development:

With Corruption scandals clouding India's government and dominating headlines over the last years, 71 years old Gandhian and well-known activist Anna Hazare's –five day fast unto-death articulated the building angst in India against serial corruption scams in government and public life. Insisting on a strong unimpeachable and independent anti-corruption authority, he showed up the government's weak effort to get the toothless anti-corruption Lokpal Bill passed. It put the government in the spotlight in the face of tremendous backlash against pervasive corruption in India which has become daily fodder for the Media. Most disturbing were allegations of large-scale corruption in the government flagship project for the rural poor. So many considerations were ignited around the parliament for a draft Lokpal or Ombudsman bill that has been heavily criticized by civil society. The issue of corruption is a quixotic pursuit at the best of times. Hazare's fast was the occasion to present a counter to the Lokpal-bill- Jan- Lokpal-bill- prepared by the civil society activists seeking an independent body to investigate corruption cases. Since 1968 seven attempts were made in parliament and last in 2008 to pass anti-corruption act in India have failed. Setting up a dedicated Committee--- the first to include civil society representatives and thereafter its implementation and enforcement will present further challenges in a country as vast and diverse as India.

Corruption in India is deep rooted and people are concerned in corruption “at the cutting edge level of administration.” It indirectly affects the country's economy and also all types of development of the citizens. It comprises all illegal activities. There is a conclusion given by Asian Pacific region Survey—Hong Kong based business--- where India rated 8.67 as the 4th most corrupt nation among 16 countries.

Right To Information Act: A Tool Tackle Corruption:

“an act to provide for setting out the practical regime of right to information for citizens to secure and access to information under the control of public authorities .In order to promote transparency and accountability in every public authority.”

September 28 is celebrated internationally as Right to Know Day, highlighting the critical importance of people's right to access information held by their governments. In India a nationwide campaign led by grass roots and civil government, the government passed a landmark Right To Information Act on 15th June 2005 and it came into force from 12th October, 2005. From then, every citizen has effectively used the Act to tackle corruption and bring greater transparency and accountability. Aruna Roy, a social activist said, “India's RTI Act as” *the most fundamental law this country has seen as it can be used from the local panchayat to parliament from a non-descript village to posh delhi, from a rationshop to the 2G Scam*”. In Jan 2013, *the Times of India, stated* ‘RTI is a very good tool to improve the functioning of government’. RTI Act main objective:

- To promote transparency and accountability in the *working of every public authority*.
- To set-up a practical regime for giving citizen access to information that is under the control of public authorities.
- Decision making process
- Reduction of Corruption in government departments.

Main thrust of RTI law to change the culture of secrecy, red tapism and aloofness that has plagued India's monolithic and opaque bureaucracy. This effort was first made by MKSS(mazdoor kisan shakti sangthan) to tackle corruption at grass root level. The RTI Act is vast emerging as an effective anti-corruption tool. RTI laws or “sunshine” laws as they are commonly called, grant citizens legal rights to access information held by their governments, bringing much needed transparency or opaque functioning of governments. Over 80

countries enacted this law. India’s RTI Act is internationally recognized as a strong and effective law. Over the last 6 years RTI has been used extensively by ordinary Indian citizens to demand a vast range of information from their government. In the last 3 years there were 3 Millions RTI request were filed and being used to redress individual grievances. India’s poor and disadvantaged, the simple act of filing an RTI application empowers and often leads to tangible results .eg 1.ponds scam--- rural Orissa-- village are under the government National Wage Employment Scheme. He received information that Ponds have never constructed but money was allocated and spent.2. Slum dwellers in Delhi ---- there were grouped into 4 groups donot follow. The first group submitted their application and donot follow. The second group attached a recommendation letter from NGOs to their application. The third group paid bribe. The group who paid bribe was successful and fourth group whose RTI request was processed very fast. Here to say “Access to information appears to empower the poor to the point where they receive almost the same treatment as middle-class –individuals at the hands of civil servant. This is that payment of a bribe can’t do”. It is a potent weapon to fight against corruption arbitrariness and misuse of power. It is a vital tool for good governance and this law has been used to tackle a high profile of corruption. RTI spilt all over the parts of the country and reduced the corruption in India.

II. Conclusion

With the Corruption being viewed as one of the biggest”Obstacles in the efficient delivery of development resources to the poor developing countries”. The quality of life of people has also been adversely affected by corruption. The time has come now where the responsibility of tackling this problem, needs to be taken by the people themselves. Civil society institutions have a key role to play in generating the much needed awareness, determination and drive, to expose the maladies of corruption and fine tune the functioning of public organizations. To snap out of the present phase and co-ordinate our moral, to make a final thrust to break rampant corruption in which Our people have been held captive for centuries. Right To Information Act done that and given the people power to challenge their government. This is not a small thing. Therefore, 62% decline in corruption in Bihar from the 2005 to 2008 where Bihar is most corrupted State. It prevents corrupt public officials from misusing this information to advance their own interest. Thus, RTI has an immense power to make government accountability and transparency. We have the power and responsibility of bringing Good Governance by using and making awareness about the use of RTI.

References

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