

## **ABSTRACT**

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**Title** : “Empowering the citizen and the right to information; Problems and challenges in India”

Information is every individual's right and is very vital for the better living. Information is considered as one of the element of good governance and is very essential for a successful functioning of a democracy. Citizens cannot think a society without freedom of information. Historical evidence shows how information was withheld by the colonial authority as well as the Indian government after the independence. Freedom of information is denied only in a society which wanted secrecy to exist and restrict the role of the citizen. Whereas a democratic government promoted people's participation and transparency. Right to information in India is a result of a great struggle before and after the independence. Right to information was upheld by the judiciary many times but as a legal legislation, it came into existence after the draft bill in 2002. Tamil Nadu was the only state to have Freedom of Information Act in the year 1997. Thereafter Delhi Right to Information Act 2002 came into existence. The Central legislation, Right to Information Act (RTI) was enacted only in June 2005 and enforced on 12<sup>th</sup> October 2005. Since then RTI Act is working to enable the citizens to access information held by the public authority.

Since the enactment of the RTI Act, citizens are using it widely to access information. The Act provides the appointment of the public information officer (PIO) and the first appellate authority (FAA) to discharge duties. It also provides a penalty to the public authorities for wilfully withholding, refusal or providing false information to the RTI applicants. The Act

protects the citizen from seeking third party information under section 11. RTI is not created seek information of a third person but to access the information which is related to individual citizens. Citizens are using RTI to address their grievances, more than providing the information it has done away with problems existed in the service sector.

RTI has forced the government to provide time bound services in the service sector. It has also fixed the duties and responsibilities of the different public authorities at various levels. Citizen got a right to ask the official about the commission and omission of functions. Transparency is brought to a large extent. It has also reported irregularities, malpractices and corruption in many areas and steps were taken to address the same. Government initiated schemes like direct cash benefit transfer to enable the citizen to get scholarships and pensions directly in their account by linking with the aadhar. This has enabled the government to direct contact with the citizen and exclude the middleman.

RTI has benefited the citizens to access the information and to avail the necessary services in time. But every policy or an Act has a negative effect too, that is RTI revelations of malpractices and corruption has caused frequent attacks, threatening and harassment of the activist.