

# Introduction: Theoretical Framework and Methodology

Democracy in its literal form means rule of demos or people. On the basis of this definition the means and ends of democracy remain the same, i.e. to say the modality and objective of democracy are the same- the rule of the people on themselves. However, in modern sense neither the objective nor the modality of democracy remain so simple or so similar. Firstly, modern democracies do not entail rule of the people by themselves. They work through representative systems where people elect their representatives who rule on their behalf. Secondly, the objective of democracy today doesn't limit itself to achieving rule of the people by themselves. In modern democracies, especially in most developing countries, welfare state remains an essential part of objective of democracy whereby benefits of social welfare reach out to the common public through the state.

Both the modality and objective of modern day democracies have one inseparable element which is the bureaucratisation. Elected representatives themselves alone cannot deliver to the aspirations or entitlements of the public and require bureaucracies to set the wheels of a democracy running. The entitlements and rights in turn include benefits of a social welfare state which most people, especially in third world countries with free market based economies, are extremely dependent upon. Thus, to run a representative democracy and to deliver these benefits to the public require a massive bureaucratic structure. In other words, modern day democracies both in their modalities and objectives require bureaucratisation.

As Max Weber (1993, pp 78) suggests "The progress of bureaucratisation in the state administration itself is a parallel phenomenon of democracy". He adds, ""democracy" as such is opposed to the "rule" of bureaucracy, in spite and perhaps because of its unavoidable and unintended promotion of bureaucratisation. Under certain conditions, democracy creates obvious ruptures and blockages to bureaucratic organisation." (Weber 1993: pp 80) This he states is because "bureaucracy, both in business offices and in public service, is a carrier of specific "status" development", but ""Democracy" reacts precisely against the unavoidable "status" character of bureaucracy.". (Weber 1993: pp 82)

Democracy's ideal to establish rule of people on the one hand and the "specific status" accorded to bureaucracy responsible for carrying out the functions of modern democracy produces a unique contradiction. It is this contradiction that gives rise to the need of democratisation even in democracies. One way to achieve this democratisation is to work towards what Weber terms as one of the postulates of political concept of democracy i.e. the "minimisation of the authority of officialdom in the interest of expanding the sphere of influence of "public opinion" as far as practicable." (Weber 1993: pp 78) He suggests that "The most decisive thing here- indeed it is rather exclusively so- is the *levelling* of the *governed* in opposition to the ruling and bureaucratically articulated group, which in its turn may occupy a quite autocratic position, both in fact and in form...". (Weber 1993: pp 78)

One of the primary requirements for achieving this "levelling" of the governed with the governing is public participation of citizens in issues and procedures of governance and interaction of public with the bureaucracy and engagement in their immediate and not so immediate social and political lives. In other words, participation is important to achieve democratisation. Carole Pateman who has worked extensively to bring out the connection between democratisation and public participation, writes (Pateman 2012, pp. 10) "Participatory democratic theory is an argument about democratisation. That is, the argument is about changes that will make our own social and political

life more democratic, that will provide opportunities for individuals to participate in decision-making in their everyday lives as well as in the wider political system. It is about democratising democracy." She adds, "Citizens have the right to public provision, the right to participate in decision-making about their collective life and to live with authority structures that make such participation possible." (Pateman 2012, pp. 15)

Participation is empirically observable. Scholars who have worked on participation, such as Pateman (1976), have used various public policies, programmes, schemes, legislations etc. to understand the impact of participation on various aspects of democratisation. One of the legislations which deeply impacted upon the levels of participation in Indian context was Right to Information Act, 2005. Even though right to information was always a constitutionally guaranteed right which has been time and again reaffirmed by various Supreme Court judgments, the RTI act 2005 brought a massive change in public perception and guaranteeing of this right.

Not only did the RTI act specify provisions for mandatory proactive disclosure of information (belonging to certain categories) in all government departments through all forms of communication, it also specifies provisions for reactive disclosure of information, i.e. information disclosed as and when demanded by citizens by way of applying for that information with respective departments. Thus, there are many provisions within this act which establish a channel of communication between bureaucracy and the public with an element of undeniable accountability. RTI act provides citizens an opportunity not only to assert their right to be informed but also provides them with a well-established mechanism and framework to participate in the working of democracy.

With this background the research question that this study aims to find answers to, can be laid out as follows:

*Has the RTI act 2005, made an impact upon democratisation in India vis-à-vis the citizens' interaction with bureaucracy and building of their perspectives with regards to procedural and deliberative democracy?*

There are two important components of this question which reflect two aspects of democratisation. Firstly, it is important to draw an experience profile of RTI users in terms of their interaction with bureaucracy both before and after using RTI act to understand the qualitative change in the experience of these citizens in getting their issues or problems or objectives addressed through public officials through RTI act when compared from before. Secondly, it is important to understand what kind of effects has the RTI act had on the general awareness and knowledge of those who use RTI act for various purposes, regarding issues such as governance, democracy, administration, public policy etc.

The first component reflects the direct participation which is an important aspect of democratisation and the second component reflects the consequential impact of participation which is democratic sensitisation which plays a role in deliberative democracy- a corollary of participatory democracy.

### **Objectives of Research**

The objective of this study is to understand the utility of RTI act 2005, in initiating, propelling and enhancing (qualitatively and quantitatively) culture of public participation as well as perspective building in Indian democracy. The two parameters of public participation and perspective building are being used as variables to operationalise the concept of democratisation. Thus, the ultimate objective is to look at the contribution of RTI act in achieving democratisation in Indian social-political scenario.

### **Sampling: Type and Field**

The sampling technique for this research study is purposive sampling as the study aims to look at only those who have asked for information through the RTI act. However, all efforts have been made to make the sample as socio-economically varied and diverse as possible. There are two categories of sample types- firstly those who have used the RTI act to ask for information for personal reasons such as for addressing their personal grievances or concerns or problems and secondly those who have used the act to ask for information for non-personal reasons such as for information required for professional assignments such as in case of journalists, lawyers, researchers etc., for activism, advocacy of public cause or issue or for general enquiries based on inquisitiveness. Ten people have been interviewed in the first category and nine people have been interviewed in the second category.

The field for this research is based in two cities- Agra and Delhi. The choice of these locations is deliberate to represent two locations completely diverse in their socio-political scenarios. Delhi being the political centre of the country is highly politicised with an active civil society with various citizen collectives and advocacy groups. On the other hand, Agra, only few hundred kilometres from Delhi, is relatively less politicised. An upcoming tier three city, Agra is more business oriented with several medium and small enterprises. The scope for civil society activism and specifically that related to RTI is relatively very limited and less organised.

Initial plan was to select five persons each from two cities for both the categories of samples i.e. those who have used RTI act for personal issues and those for non-personal reasons. However as was anticipated it was very difficult to get suitable candidates for interviewing in Agra who have used RTI act. Eventually only a total of five respondents were found in the city who had used RTI for non-personal reasons. In Delhi on the other hand four respondents were found who had used RTI for non-personal reasons.

As for those who had filed RTI applications for personal reasons and issues, all ten of them were located in Delhi. Nine of these belonged to two slums located in Munirka and Kusumpur Pahadi in Delhi. These respondents were approached through a citizens' collective and advocacy group that mainly works with RTI, Satark Nagarik Sangathan. One other respondent in this category works as an information outreach coordinator with this association.

Thus, considering the various socio-economic and professional backgrounds of the respondents a somewhat diverse mix of people was achieved who have varying experiences with RTI act.

### **Method and Technique**

The technique being used for this survey is mainly detailed interview with mostly subjective questions. Some questions are also objective. The aim is to collect as much information as possible from the respondents about their experiences and perspectives with regards to RTI usage. A standard questionnaire has been prepared nevertheless to list out a definite set of questions to be asked from all the respondents to provide some common parameters to compare and record the observations. However, these questions are not administered in a strictly survey format. Interview method allows more flexibility to let respondents open up and stress upon aspects that they feel are more important.

While questions with aim of recording respondents' experience with bureaucracy have been administered to all the respondents, those trying to gauge their perspectives about RTI or other issues related to democracy and bureaucracy have been administered differently from different respondents. As some of the respondents are well educated and have larger body of work related to

RTI they have a greater understanding of the RTI act specifically but also other issues on which their perspectives are sought. In comparison those respondents who live in slums are mostly illiterate and have used the act specifically based on specific issues and problems. Thus, questions aimed at gauging respondents' perspectives have been administered selectively in the latter case, rather allowing them to speak up on their own as to what they think and feel vis-à-vis bureaucracy and their perspectives on various topics.

### **Brief Introduction of the Respondents**

RTI users for personal reasons: As already mentioned nine of those who used RTI for personal reasons lived in two slums in Delhi- four in Munirka and five in Kusumpur Pahadi, while one worked as an information outreach coordinator with Satark Nagarik Sangathan (SNS). Following is a brief introduction of these respondents.

- 1) Aditi: is an information outreach coordinator with SNS. A fresh graduate in Journalism from Jagran Institute of Management and Mass Communication in Noida, she used to file RTIs regularly in college as part of their weekly assignments meant to familiarise them with RTI usage. After college she interned at SNS and then joined the organisation in her current position. She assists people who need help with filing RTIs in Delhi. For this study she shared her experience regarding her voter ID issue. Aditi has been facing problems in getting her verification process completed for her voter ID. She had filed an RTI application for which she did not get any response. Her matter is now pending at the first appeal stage as she has not yet been given a date for hearing.
- 2) Pushpa: now aged 44, came to Delhi about a decade ago from Rajasthan with her husband and elder daughter. Married off, when she was only in class six, Pushpa could only study for two more years. Regretful for an early marriage and not having been able to complete her education she came to the city so that same fate did not befall her daughter. Living in Munirka, she started attending meetings of SNS around 2005. Around the same time, she filed her first RTI with the office of local Municipal Councillor regarding the conditions of roads around her slum. This first RTI led to a first appeal hearing where she was threatened and intimidated by the officials, a memory that has had a lasting impression on her till now. Since then Pushpa has filed many RTI applications on various personal issues such as admission of her daughter under Economically Weaker Section (EWS) quota in a private school and now sees a palpable difference in her confidence and resilience since her early experiences with the bureaucracy. Now she is associated with the SNS as a mobiliser and helps other people who attend their weekly meetings.
- 3) Vandana: is another mobiliser with the SNS like Pushpa who also lives in Munirka. After getting married in 2002, she came to Delhi a year later. Her life trajectory resembles Pushpa's in more than one way. She too couldn't study beyond class eighth. She too regrets her lack of education and wanted her daughter to have a chance at good education. Her first RTI was regarding her daughter's admission in a private school for which she was facing problems from the school administration. She too came to know about the act from SNS meetings. Subsequently she filed RTIs on various issues such as the maintenance and operations of the public toilet in her slum, an issue for which she faced a lot of flak from her local neighbours who preferred to side with the corrupt management of the toilet facility than standing with her. In face of resistance and opposition from many for her activism, much like Pushpa, Vandana too persevered. She regrets that not having a tool like RTI and being properly informed about her options for education earlier in life, she missed out on opportunities for being better educated. But today she too works as a mobiliser with SNS and helps people to use the RTI act to get the information and resolutions that they need.

- 4) Madhubala: is a stay at home mother who stays in Munirka. She came to know about the RTI after she started coming to the meetings held by SNS in Munirka in 2011. Her first RTI was regarding the potholes in the road by the Shamshan Bhoomi near her locality which after some delaying and intimidating tactics from the officers, got repaired eventually. The second time around she had to file it for the widow pension that she used to get, but had been stopped for about three years, without telling her the reason. After the application the pension was reinstated in November last year but stopped again in March this year. The reason for her pension being stopped was that her account information was incorrect, but not having been informed about this reason either, she was unable to fix the problem for such a long time, instead frantically running between different offices trying to figure out the same.
- 5) Parvati: is an octogenarian who attends the Munirka camp meetings of SNS. She is illiterate and sells corn or eggs by the roadside to earn her living. To supplement her meagre income, she depends greatly upon her old age pension. Parvati had been receiving the widow pension for a long time which got converted to old age pension later. In all she had been living off pensions for about 25 to 30 years which recently got stopped for about 15 months. After filing an RTI and subsequent first and second appeal hearings, she finally got it reinstated only to be stopped again for past six months because now the money was being transferred to her zero-balance account opened some time back, without telling her about this change. Now she is trying to access her new account to be able to get her money.
- 6) Nirmala: attends the Kusumpur Pahadi meetings of SNS. She has twice filed RTI applications, once for ration and another time for Laadli Yojana for her daughter. An illiterate, Nirmala brings her daughter Neetu to appeal hearings when required. From being earlier dismissed, threatened and intimidated by public officials to now being offered a seat and refreshments in their offices, Nirmala notices discernible changes in the attitude of bureaucracy, all due to her foray into RTI usage and her association with SNS.
- 7) Kusum: was also interviewed at the Kusumpur Pahadi meeting. She has been associated with SNS since 2008 and now works as a mobiliser. It was her general inquisitiveness that brought her to SNS meetings where she received training for about two years to learn all about the RTI act. Her RTI applications have been about the high prices of ration at the local ration shop, unavailability of oil at the ration shop, maintenance and management of the public toilet in her locality and many other such issues. An outspoken woman, Kusum helps out women who attend the SNS meeting in filing RTI applications and appearing for hearings at the first appeal and the second appeal stages.
- 8) Usha: perhaps has had the most harrowing and terrible experiences because of filing RTI out of all the respondents. She got associated with SNS about five years back. She filed an RTI because her local ration shopkeeper was giving out less than designated amount of sugar in monthly ration for about six months and used to give sugar only once in six months. Having had a bullying experience at the hands of the shopkeeper, what followed after filing the RTI was even worse. One of her neighbours from her locality kept forcing her to sign a paper which absolved the ration dealer and the officials in the ration department of all the allegations of impropriety that they had indulged in. When Usha refused, the neighbour left no stone unturned to make her miserable. From preventing her from taking water from the local public pipeline to getting her son falsely convicted, the neighbour did everything to break Usha. Today the case against Usha's son lingers and she remains affected by her concern for her son. She ponders if there had been more women back then standing with her, if things might have turned out differently.
- 9) Prema: first used the RTI act in 2012. Her ration card had been stopped for two and a half years. Before filing RTI application she had to keep running between offices to get the card

reinstated and the only response that she used to get was that her card is "locked" in the computer. Once after receiving a pamphlet for the SNS meetings she reluctantly came to one of the sessions. It was here that she came to know about the option of filing RTI application. The matter got resolved only after the second appeal stage where it was also ordered that she should be compensated monetarily for the time period that she had to buy ration elsewhere. However, the department challenged the order in the court. Prema has now been to the court about five or six times but the case is still pending.

- 10) Kamla: too like Prema attends the meetings at Kusumpur Pahadi camp of SNS. She had to use the RTI act to know about the irregularity in the supply of sugar at the ration shop. For about four months she kept running to different shops and offices to get her ration but to no avail. It was only when she obtained the information from the official records and confronted the ration shop, that after some dilly-dallying the shopkeeper gave her some portion of her pending ration while still denying some of her share of sugar. Kamla being an illiterate requires guidance to use the act and file applications but her daughter who is educated and receives the youth group training with the SNS helps her out in these matters.

RTI for non-personal reasons: This category as already mentioned includes five respondents from Agra and four respondents from Delhi.

- 1) Naresh Paras: is one of the rare RTI and social activists in Agra. Having always been trying to help out people in distress, Paras found a natural ally in the RTI act to help others and address problems in the system at various levels. After having filed his first RTI application in 2006, he has used the act more prolifically over the years. Through the act he has addressed issues such as unfair detention of a girl at the local Women Rescue Centre (Nari Sarnakshan Grah), deaths of prisoners in the central jail of Agra (a matter which he escalated to the level of National Human Rights Commission, which took cognisance of the matter and actions were initiated in this regard), about children who were unaccounted for at the local children protection home among many others. The responses in these cases helped expose many grievous wrongdoings on the part of the authorities, which were covered in local and national media as well. However, what is more important are the experiences that he has had with the officers and bureaucrats who were either handling these cases or who were being implicated in them. From being threatened to being attempted to be bought over with favours and attempts of falsely being implicated, Paras has had to steer clear of many obstacles in his pursuit of justice for many people in need. His experiences have led him to prioritise safety and upkeep of morale of RTI activists as the most important measure to keep the spirit of the RTI act alive.
- 2) Manoj Kumar Rawat: is a Lekhpal also known as a Revenue Sub-Inspector in Uttar Pradesh Revenue Department in Bah village of Agra district. Being a public officer himself Rawat reveals that he has witnessed first-hand how big an impact RTI has made in government offices where officers are always on their feet trying to deal with these applications. He also has been using the RTI act for the past one year himself. His first RTI application was regarding the irregularity in distribution of ration cards in his village where only 25% of the eligible people had been allotted their cards. He has subsequently addressed issues such as the utilisation of funds allocated for development in his village and parking contract at one of the railway stations in Agra.
- 3) Prakriti Sareen: has used RTI act mostly in her capacity as a researcher with the Human Rights Law Network in Delhi. The information obtained by her through RTI act was used for preparing for court cases that the organisation handles. Some of the important takeaways from her experience of filing RTIs with the bureaucracy have been the consistent efforts of public officials at stonewalling information seekers, especially using the section eight

provision but at the same time also the potential of RTI act for sensitising public officials about many issues such as reproductive rights and sexual harassment, as and when different people file RTI applications on these matters.

- 4) Amrita Johri: has been associated with Satark Nagarik Sangathan for many years now as an activist and policy advocate. Johri first filed RTI application in 2006 and since then might have filed more than 500 RTI applications as per her own estimates. Johri recalls that times have changed since the RTI act was passed. Earlier the act was being used by activists and policy advocacy groups like hers for obtaining act and policy documents which were otherwise not available in the public domain. Now the applications are being made to know about section-wise compliance of these acts or policies or schemes. But drawing from the experience of the common citizens, she says that the nature of information sought has not changed drastically. As per the findings of the research led by their team, in 67% of cases, the information being asked by people all over the country even today, should have been disclosed proactively under the section 4 of the act. Moreover, most of the RTI applications from common people are still about asking information on issues of basic entitlements and grievances. According to Johri the mindset change in the bureaucracy and the government which should have become more open with sharing information, of which it is only a custodian and not the owner, has yet not materialised, something that was hoped with the coming in of this act.
- 5) Anjali Bhardwaj: is a seasoned RTI and social activist. Her engagement with the RTI act 2005, precedes even the formulation of this act as she was involved in the very public movement that brought about this act. As part of the National Campaign for People's Right to Information (NCPRI) since 1999-2001, Bhardwaj has been actively involved in the struggle for this act. She was also the part of the working committee of the NCPRI since 2004, responsible for drafting the law. Thus, she has overseen the development of the act right from the struggle which preceded it to now it being in place for over a decade. Even though Anjali cautions against pinning too many hopes on a piece of legislation, as monumental as RTI is, since it is at the end of the day a tool, she still regrets not having seen the kind of systemic changes in terms of transparency and accountability that one would have expected. What she points out to is the failure of the various governments to treat this act as a feedback mechanism whereby the kind of RTIs that are reaching various public departments could work as pointers for the shortcomings and malpractices in the system. That the nature of RTIs being filed has not changed shows that the inadequacies in the system are not being addressed which has adversely impacted upon the delivery mechanism of even the most basic entitlements on the one hand and has also burdened the system with increasing costs to the government exchequers by failing to plug the holes in the system. In this way, the massive potential of RTI act to strike a direct dialogue between the government and the common public has been more or less rendered unutilised thus far.
- 6) Arvind Sutaal: based in Agra, is perhaps the most distinct user of RTI from all others in this study. Having used the act for a single issue, albeit through many applications, Sutaal has tried to obtain information on a matter that neither fits the category of rights/entitlements based usage nor that of larger public interest or that of any professional assignments. Through multiple RTI applications filed with the central and different state governments, he tried to know what is the official policy and take of various governments in India regarding the official commemoration of King Ashoka whose emblem, he reminds, is the official insignia used for various Indian official purposes. Even though he did not get a conclusive response from any of the authorities, he did get a response from the Bihar government last year communicating to him that an official holiday was in fact declared commemorating Ashoka on 14<sup>th</sup> of April.

- 7) Yogesh Dubey: has started using RTI just this year. A former full-time journalist, Dubey has filed RTI applications thrice for collecting information on issues on which he writes articles for online platforms. He has asked for information on issues such as availability of NCERT textbooks in CBSE schools in Agra, opening up of a promised passport centre in Agra and about what is done to the items that are found unattended or unclaimed in historical monuments located in Agra. For Dubey one of the most important aspects about RTI act is that the information obtained through it is authenticated, which from a journalistic point of view is very important.
- 8) Raghav Singhal: is an Agra based lawyer who particularly deals with the claims of victims and their families who have been killed or harmed in road accidents caused by motor vehicles. Singhal first filed RTI application in 2010, to address availability of seats for admission in a college. After becoming a lawyer, Singhal has been using the act fairly regularly. As someone who deals with laws and acts regularly, Singhal lends an important perspective on how the implementation of the RTI act can be bettered. While he suggests that the RTI act is very comprehensible and accessible in its language and provisions, its provisions are regularly amended or its implementation is often affected by periodical government orders. His suggestion is that all the subsequent government orders and amendments after the RTI act must be compiled along with the act in one place to make the understanding and consequently the implementation of the act better.
- 9) Shyamlal Yadav: is one of the most celebrated Indian journalists for using the RTI act for journalism. Having used the act for several stories, Yadav has acquired a detailed knowledge and profound perspective regarding the act and its several provisions. Yadav being a journalist for so many years has worked in times both before the passing of the RTI act and after it and therefore has distinct perspective on how RTI has impacted journalism and what changes it has brought about. He stresses the importance of the act in obtaining authenticated information and how to build up on that information through investigative and field-based stories. His perspectives regarding the act are mostly strategic and have less to do with power dynamics that exist between bureaucracy and citizenry.

Thus, a diverse bunch of people participated in this study whose engagement with the RTI act varies and so do their experiences and perspectives. In the next two chapters these experiences and perspectives will be explored by looking at the quantifiable objective responses as well as the subjective responses with detailed perspectives and insights.



# Impact of RTI act on Engagement of Public with Bureaucracy

One of the key aspects of this study as laid out in the objectives before was to assess and gauge the impact of RTI act on the interaction between public and bureaucracy. There are three components of this analysis, based on which respondents were asked questions to record their experiences and perspectives.

- 1) **Pre-RTI experience:** This is to understand, as the name suggests, experience of respondents in dealing with the bureaucracy before having filed an RTI application or used the RTI act. For these questions there are some quantifiable objective responses and also subjective perspectives as well as narratives of incidents that have been recorded through the interviews. Since respondents vary in their socio-economic and professional backgrounds as well as their RTI usage profiles, these observations put together could reveal interesting insights as to how people's engagement with bureaucracy looks like when RTI act has not been used.
- 2) **Experience of RTI usage:** This is an important component as it reveals experiences of the respondents regarding various stages of the process of applying for information through the RTI act, i.e. the RTI application and first and second appeal stages wherever applicable. Moreover, experience for RTI does not end with the application process alone as often repercussions can be faced even after it. Questions have been asked to record those experiences and perspectives as well, as part of this component.
- 3) **Impact of RTI:** This component will reveal peoples' perspectives regarding the impact of RTI in the interaction between bureaucracy with regards to the changes that the act has brought, the changes that are still desired, what are the issues that are being addressed through RTI act etc.

## **Pre-RTI experience**

14 out of 19 respondents in total had contacted a government authority for some or the other purpose before ever filing RTI applications. Seven of the ten respondents who had filed RTI for personal reasons and seven out of nine, those who had filed RTI for non-personal reasons, had experiences to share of interacting with bureaucracy before ever filing an RTI application.

Six of the respondents who have filed RTI applications for personal reasons had contacted government authorities mainly to address the problems in delivery of their basic entitlements and one wished to sort out the matter of Ladli Yojana for her daughter which the respondent was not able to avail. So even before RTI usage, they were engaging with bureaucracy for addressing their personal issues including entitlements and rights.

Two of the respondents who had filed RTI for non-personal reasons contacted government authorities before filing RTI, for matters of public interest, one did for research, two for personal reasons, one for journalistic stories and one was involved in various movements for bringing about legislative changes and rights based struggles.

Most respondents from lower socio-economic backgrounds reported abrasive attitude from the bureaucracy. The most prevalent response was that officials were mostly dismissive or humiliating. In few cases where the officials responded, it was either a very delayed response or a casual one. Those who often contacted government authorities like activists and journalists gave a general

perspective on attitude of bureaucracy which mainly constituted lack of transparency and accountability.

Inference: Unfortunately experiences of majority of respondents irrespective of their socio-economic backgrounds echoed the prevalent general perception about bureaucracy, that it was unresponsive, abrasive and mostly unhelpful. Most of the respondents found it hard for their objectives to be met because of the unhelpful attitude of bureaucracy when they had contacted them before resorting to using the RTI act.

### **Experience of RTI usage**

Eight out of 19 respondents reported having filed more than 12 RTIs with maximum number reaching up to anywhere above 500 for some respondents. Three of these were activists, one a lawyer and one a journalist, all of whom filed RTI applications for non-personal reasons. At the same time three of those respondents who filed RTI applications for personal reasons reported filing "many" RTIs. Other 11 respondents filed RTI applications numbering anywhere between one to 12. Seven of these 11 respondents were those who filed the applications for personal grievances or entitlements.

Eight respondents reported that they faced threats or intimidation in the process of filing RTI or thereafter. Five of these were those who had filed RTI applications for personal reasons and live in slums and three were those who had filed them for non-personal reasons. These threats or intimidating tactics were experienced either during the filing process or during hearings of appeals or even informally over phone or in person. While in some cases bureaucrats were responsible, in other cases first points of contact such as the ration dealer were responsible. In some cases, help of neighbours or fellow slum dwellers was also solicited to help pressurise the respondents to accede to the demands of the bureaucrats to resolve the matter without due process.

Another problem that respondents faced during RTI filing process or in subsequent procedures were diversionary tactics such as misleading the applicant or rejecting the applications on flimsy grounds or delaying the receipt of applications. A total of 13 respondents reported facing this problem, eight from among those living in slums using RTI for personal reasons and five those using it for non-personal reasons.

Eight respondents reported that they were asked to give reasons for filing RTI applications, four each from among those who filed it for personal reasons and those who filed it for non-personal reasons. Nine reported that they were not asked to give any reasons.

Five out of total respondents reported that they were denied information on the pretext that its disclosure was not in public interest as per the provisions of section 8. None of these respondents were those who were asking information for personal reasons. The complaint of misuse of the section through vague interpretation has been a consistent one by those who use RTI act regularly for larger public interest, legal cases or journalism.

15 respondents, eight for personal reasons and seven for non-personal reasons, filed first appeals for their RTI applications. A majority of respondents found the attitude of First Appellate Authority, abrasive or opaque and also reported that Public Information Officers and FAAs were often found colluding with each other in hiding information or trying to protect the PIOs who erred in performing their duties.

A lesser number of respondents, nine in total have filed second appeals. Four respondents found the hearing during second appeal helpful in getting the information that they asked for, one was provided the order for compensation but the erring public authorities challenged the order in high

court of Delhi and the matter remains pending. One felt that commissions need to be pushed to provide meaningful resolutions while two felt that there are structural problems with second appeal structure or the information commissions themselves.

Inference: Much like the experience of interacting with bureaucracy without using RTI, people from slums have a hard time in filing RTIs also. More than half of all these respondents had faced threats, intimidation and other bullying tactics. A more prevalent problem seems to be delaying or diversionary tactics employed by officials even in the process of accepting RTI applications. This too remains a persistent complaint of the respondents who wished to address personal problems more than those who were addressing non-personal issues.

Yet the respondents persevered and managed to file RTIs. But their problems didn't stop. A common experience narrated by most of the respondents who filed RTIs for personal reasons, was the pressure exerted upon them to sign papers that absolved the responsible authorities of any wrongdoings in discharge of their duties; wrongdoings that were exposed because of the information obtained through the use of the RTI act. This also holds true for the respondents who used RTI act for non-personal reasons such as Naresh Paras who, as already mentioned, was not only threatened to be falsely implicated but also attempted to be bought off.

It is also evident that specific norms laid out in the act such as not having to give reasons to public officials for filing RTIs are flouted. At the same time provisions laid out in section eight that pertain to "public interest" clause, are regularly invoked with vague interpretations in order to avoid giving information asked. Ironically these applications are those which have been filed in wider public interest.

The fact that 15 respondents had to resort to first appeal shows that the responses to RTI applications or lack of any, is creating dissatisfaction for public at the level of Public Information Officers. As mentioned above respondents' experience with the first appeal hearings is not ideal with collusion between PIOs and FAAs being a common complaint. Another complaint was the abrasive and condescending attitude that some of the respondents faced during the hearing through which respondents were discouraged to pursue the matter further, sometimes even with threats. As per the respondents the second appeal stage is more effective in getting the resolution that the applicants sought.

Overall the picture that emerges from the responses of the respondents show that PIOs and FAAs are not creating the ideal conditions for the resolution of the applications of the public. This delays the entire process of information seeking and in turn affects the delivery of entitlements and services and information for legal processes, advocacy and journalism etc. as and where applicable. At the same time this wilful failure on the part of the officers also wastes time and other resources of the bureaucracy and thus that of the state in dealing with the applications of information seekers. Officials responsible for providing information often attempt to thwart attempts of the public to seek information by obstructing application process itself.

### **Impact of RTI on public-bureaucracy interaction**

While the previous two sections paint a picture of how interaction between public and bureaucracy fared when the former did not use the RTI act and when they did, this section intends to highlight what has changed in the overall scenario of engagement between public and bureaucracy due to the RTI act.

Ten respondents reported that they still find it difficult to get anything done with bureaucracy without using RTI act while only two respondents felt that after coming in of the act works do get

done easily even without using it. Two respondents gave a mixed response, i.e. occasionally they find it easier to get their work done even without using RTI act. Others had no perspective regarding the issue. Upon asking if RTI is essential for getting information or assistance from bureaucracy or having their problems or issues addressed, 13 respondents responded strongly in affirmative and two felt that in most cases it is still the case.

When asked to give opinion about the impact of RTI act on the dialogue between the public and bureaucracy, all but two respondents had something to say. Nine respondents, six those who used the act for personal reasons and three who used it for non-personal reasons said that there has been a change in the attitude of bureaucracy because now they are forced to be accountable to people and bound by the act to respond to them. Some respondents from the slums also said that now the officials can't afford a dismissive or abrasive attitude against them as they used to do earlier. Five respondents felt that now the public has been empowered to deal with bureaucracy because of this act and can assert themselves more confidently. Other three respondents, incidentally all of them activists, are not satisfied with the overall impact. They felt that the kind of systemic changes that were envisaged because of RTI in terms of an opener dialogue between public and bureaucracy have not been achieved.

Thus, most respondents felt that the change that has come through RTI in the relationship between bureaucracy and public, has been felt from the bureaucratic side as they have been forced to be accountable and responsive because of the RTI act. The change that has been felt from the side of the public has been that of more confidence and a sense of emboldening that the knowledge of RTI act and its provisions has equipped them with. The more seasoned users of RTI, such as the activists who have a more hawk-eye view of the entire scenario are not satisfied as they had more expectations for the changes in the system which according to them have still not materialised.

### **Conclusion**

As the findings illustrate bureaucracy is important for the delivery of basic entitlements and benefits of a social welfare state. With this importance bureaucracy retains an upper hand since it holds information regarding all the procedures through which these basic entitlements and services are delivered to citizens. At the same time, it is also important to engage with bureaucracy for other reasons such as research for journalism, advocacy, activism and legal cases as it remains the sole source of authenticated information, important to obtain for research purposes. In both cases the official (obtained from the government sources) status of this information is important because the state or the bureaucracy cannot deny its veracity and thus it can be used to make the government answerable and accountable on all fronts either at an individual level or at collective level.

Therefore, RTI act 2005 became an important intervention for the public who could now use the provisions in this act to hold the bureaucracy accountable for giving them the information that they require and also ask for the same through prescribed procedures. Even though bureaucracy has always been the "custodian of information" and never its owner, this act in many ways made this fact true in practical reality. This realisation therefore begins to correct, to a certain extent, the imbalance of power between the public and the bureaucracy, an important condition of democratisation as has been illustrated in the theoretical framework of the study.

But as Pateman suggests, participation is an important need for democratisation. Even though without the RTI act, public does try to engage with bureaucracy for personal and non-personal reasons, the act in itself makes this participation a part of official records and makes the bureaucracy accountable to respond to this engagement, a point that majority of respondents have also highlighted. In this scenario when bureaucracy creates obstructions for the public to access

information at various stages, it is reflective of the resistance that the bureaucracy tries to put up to the perceived challenge to its power in form of demand for information and accountability by the common citizens.

At the same time people's realisation of the power that the RTI act grants them by binding officials to respond to them in a timely manner with credible and verified information, also gives them the resources to cut through the resistance that bureaucrats put up. Thus, RTI act has not only revolutionised participation in terms of public's engagement with the bureaucracy, specifically with regards to flow of information but also provided a tool to counter any attempts to discourage this participation. However, it needs to be mentioned that the persistence of information seekers from lower socio-economic backgrounds was facilitated by their association with a citizens' collective that gave them organisational support in face of adversities.

Carole Pateman has written about participation, "individuals need to interact within democratic authority structures that make participation possible".(Pateman 2012, pp. 10) The RTI act has perhaps provided one such democratic authority structure, interacting within which individuals have found a voice and meaningful engagement with bureaucracy, a necessary condition for democratisation.

# Impact of RTI usage on Perspectives and Knowledge of Public

Interaction within “democratic authority structures” not only facilitates democratisation through participation but also through democratic sensitisation of the public. Democratic sensitisation involves enhancing the knowledge regarding procedural democracy on the one hand and equipping public with perspectives on democracy on the other. This is what Carole Pateman calls (Pateman 2012, pp. 10) “the educative or developmental side of participatory democracy”. This section will look at what impact does using the RTI act as a tool, has upon knowledge and perspective of RTI users with regards to various aspects of democracy.

## **Impact on Knowledge about acts, policies and schemes**

Six of the 19 respondents reported having read the RTI act entirely. One had read the act in some detail and remaining 12 hadn't read the act at all. Nine of the respondents who had filed RTIs for personal reasons and three of those who had used RTI act for non-personal reasons hadn't read the act at all.

Among the six who had read the entire act, three were activists, one a researcher, one a journalist and one a lawyer. Three of these respondents, activists Anjali Bhardwaj and Amrita Johri as well as lawyer Raghav Singhal reported that the act is easier to comprehend when compared to most other acts.

Awareness about section four specifically, was used as a measure to gauge the respondents' understanding of the act. With regards to this section, which mandates proactive disclosure of certain information by government departments, nine respondents reported being aware whereas nine reported being unaware. One respondent reported little awareness about the section.

Surprisingly only four of those six who had read the entire act were actually aware of the section four and its compliance. In contrast five of the respondents who hadn't read the act were aware about the section and some of them also ensured to check if it was being complied with by the public authorities. All of these respondents belong to the slums and have filed RTI applications for personal reasons but their awareness about the section four and other provisions of the act come from the knowledge imparted during SNS's meetings and training sessions regarding the RTI act.

Respondents were also asked if they have read other official documents such as acts, government orders, policy documents, schemes-related documents etc in order to frame their queries in the RTI applications. Eight responded in affirmative. Seven of these respondents were those who file RTI application for non-personal reasons and one who filed RTIs for personal reasons. All respondents who read other documents reported that reading these helps them in framing questions for their RTI applications.

14 of the respondents reported that using the RTI act has helped them in increasing their knowledge and general awareness about issues of governance, politics, policies, bureaucracy and other government schemes and programmes.

Inference: The proportion of people who have read the RTI act is quite less even though all of them use its provisions for obtaining information, which shows that the act has acquired significance as a mechanism or tool rather than as an act or a piece of legislation. It also shows that using some of the provisions of an act does not necessarily mean knowledge about the entire act. Furthermore, reading the act is not a guarantee of knowing about all its provisions and sections as is evidenced by

the findings. The only people who had read the act and were aware about its provisions were those who had a deeper engagement with legislations, policies and schemes in general such as those engaged in activism, journalism and legal profession. Greater awareness of the women who attended slum meetings of SNS, about the section four of the act, than some of those who claimed to have read the act also ascertains this point regarding the impact of the nature of engagement that public has with laws and legislations, upon their awareness and knowledge.

Nevertheless, RTI act in more than one way does impact upon the general awareness and knowledge of the users of this act. Reading other acts, official documents and government orders primarily by those who used it for non-personal reasons is one of those ways. But at the same time using the RTI act to obtain information from different departments, regarding various schemes or policies or entitlements, does enhance knowledge of the RTI applicants about these matters irrespective of the reasons that they filed RTI applications for or whether they had consulted other government documents, acts, policies or schemes for writing RTI applications.

#### **Impact of RTI on wider collaboration and cooperation**

14 respondents reported having helped others in filing RTI applications. Eight of them were those who had themselves filed RTI applications for personal issues while six were those who had filed RTIs for non-personal reasons.

Only four of the total respondents have been part of official deliberations or bureaucratic meetings or programmes because of their usage of the RTI act. These included three activists and one information outreach coordinator.

Inference: While at an individual level or as part of citizens' collective groups, there are tendencies of cooperation amongst public vis-à-vis RTI usage, there is still not a collaborative effort emanating at a widespread level between public and bureaucracy, because of the use of RTI act. Except a few activists the bureaucracy is not engaging as a result of RTI act with most of the public who may file RTI applications for personal or non-personal reasons. This seems a missed opportunity to use RTI mechanism as a feedback system for getting inputs from the public on governance, administration and bureaucracy.

#### **Perception about RTI and its impact**

Respondents were asked if they perceived RTI act as a) a right, b) a mechanism for ensuring bureaucratic accountability or c) a means to obtain justice, 13 respondents opted option A, 11 respondents opted option B and seven respondents opted option C. The options were not mutually exclusive and respondent could choose multiple options.

13 respondents, seven of those who filed RTI applications for non-personal reasons and six of those who used the RTI act for personal reasons, felt that RTI has had a positive impact on policy formulation and implementation while one responded in negative with others having no perspective on the issue at all. In terms of impact on corruption the responses are more varied. Ten respondents felt that RTI has contributed in lessening of corruption. Eight of these respondents had used the RTI act for personal reasons. Two of those who used RTI act for non-personal reasons felt that the most impact has been observed at the ground or the grassroot level of bureaucratic structure. Four respondents felt that there is a little difference in the corruption levels due to RTI act. Others had no perspective on the matter.

Inference: The prevalent perspective regarding RTI among people irrespective of whether they used the act for personal or non-personal reasons is that it is their right first and foremost. Many do see it as a mechanism to ensure accountability as well, while few look at it as means to obtain justice. This

suggests that perceptions about the RTI act are not limited to its strategic use as means to other ends. Rather the popular perception is that RTI act ensures the guaranteeing of the right to know for people. With regards to perspectives on impact of RTI on various fronts, the act is to some extent perceived as effective in policy implementation and formulation. However, it is evident that those using it for personal grievances are most convinced that RTI has made an impact on corruption. Even those who use it for non-personal reasons feel that because of the provisions of accountability in this act, the corrupt practices have been affected at grassroot levels. In other words, the RTI act has made an impact according to most, at the level of first point of contact between public and bureaucracy as the latter have become more alert in the discharge of their duties due to the looming possibility of RTI applications being filed in their departments.

### **Conclusion**

RTI act as observed earlier not only makes an impact upon nature of participation and its effectiveness but also affects the general perspective, awareness and knowledge of its users. But this impact is different based on the kind of engagement that users have with the act. Firstly, there are those who in general deal with laws, acts, policy and schemes such as individuals engaged in activism, journalism or legal profession who have not only read the act but also know it profoundly in terms of its provisions and sections. Those who don't deal with these issues in general, fail to retain knowledge about the sections which usually don't affect their usage of the RTI act even though they might have read the act. Education also doesn't make much of a difference in this regard as those who might be lesser educated could be well versed with the specific sections of the act if they have been instructed about them specifically.

Similarly, different reasons for using RTI act, i.e. either for personal or non-personal use, also impact differently upon the behaviour of RTI users in terms of consulting other official documents such as government orders, acts, policy documents etc. Those who use the RTI act for non-personal reasons understandably deal with many issues varying from those about governance, advocacy, legal cases and journalistic stories and therefore need to refer to other documents to frame their queries effectively. Thus, the wider the ambit of the issue being addressed through the act, the more are the possibilities of referring to other documents.

Prevalent perception about RTI act as a right does suggest that using RTI act has indeed furthered the understanding of rights among individuals from different backgrounds. This is especially significant for those who come from lower socio-economic backgrounds and are relatively less educated. At the same time RTI usage has also contributed in evolving perspectives on other issues such as corruption and policy formulation and implementation. While respondents do not think that RTI act has made a significant dent on big-ticket corruption, there is a general perception that at the lower levels RTI act has made an impact on accountability and therefore lessened corruption and other malpractices.

Perceptions and knowledge about issues such as corruption and policy implementation as well as concepts like rights and accountability are important to foster knowledgeable public opinion among citizens. The expansion of such public opinion, as Weber suggests is an important condition to promote a democratic spirit among people which furthers the goal of democratisation. The influence of the RTI act on citizens is contingent upon factors like nature of engagement, issues being addressed and the modes through which they learn about the act. Irrespectively, the act does promote certain levels of sensitisation and awareness among individuals, which in fact help them in participation and also resisting the pressures against participation observed earlier.



# Final Conclusion

Democratisation as measured through levelling of governed and governing is a theoretical idea. To make it amenable for an empirical study, one of the concepts that can be looked at is effectiveness of public participation. For this study the variable that was chosen to understand participation and thereby democratisation was information, since Right to Information act 2005 provides some profound systemic measures for public to seek information by engaging with bureaucracy. The parameters to understand public-bureaucracy interaction therefore came down to two components; *firstly*, how the information seeking and information giving processes have been impacted because of RTI act and *secondly*, how RTI act has impacted upon the knowledge and perspectives of the information seekers.

## **Summation of Empirical Findings regarding RTI Act's Impact upon Public-Bureaucracy Interaction**

Following are the key conclusions regarding the impact of RTI act upon Public-Bureaucracy interaction.

- 1) The experiences of respondents' interactions in this study with bureaucracy while not using the RTI act illustrate that bureaucrats and public officials are not cooperative with people in absence of an authority structure, to hold them accountable.
- 2) RTI act came as a much-needed intervention for most of these people, especially those who belonged to lower socio-economic backgrounds who depend upon bureaucracy for the delivery of their basic entitlements, services and benefits.
- 3) Being part of an on-record interaction has forced public officials to engage with the public which has often yielded positive results for the citizens thus making this interaction far more meaningful than before. This suggests that RTI act helps balance the scales of power between bureaucracy and the public.
- 4) However, there is a definite pushback from the bureaucracy against the information seeking public in form of intimidation, threat and other delaying tactics. The two main agendas in doing so are either to interfere with the information seeking process at various stages or coercing information seekers to absolve the public officials responsible for malpractices at their ends, by going outside of the prescribed and mandated official information channels. This holds truer for those from weaker socio-economic backgrounds.
- 5) However frequent usage or greater awareness of the provisions of the act or both, help information seekers to resist these pressures and persevere in face of bureaucratic tactics to derail the information flow from official channels of communication into unofficial ones.

## **Summation of Empirical Findings regarding Perspective Building of Information Seeking Public**

Following are the key conclusions regarding the impact of RTI act upon the perspective building and awareness of information seekers.

- 1) While RTI act 2005 is a piece of legislation, it also provides specific measures and mechanisms through which information can be obtained as a matter of right from government organisations and public officials. Thus, while there are those who regularly engage with acts, laws and policies such as activists, lawyers, journalists etc. who have an in-depth knowledge of the RTI act, because of frequent usage of information seeking processes put in place through the RTI act many have acquired basic awareness regarding the specific provisions of the act through which information can be obtained and for redressal mechanisms in case of non-compliance by the officials.

- 2) While Right to Information has always been constitutionally and jurisprudentially upheld, the RTI act 2005 as a tool for obtaining information in form of reactive disclosure has helped spread awareness and sensitisation about this right and its constitutional guarantee to public. This awareness is especially valuable for those from socio-economically and educationally backward sections of population.
- 3) Using RTI act 2005 as a tool to obtain information has helped individuals to gain awareness or knowledge about other fields as well such as politics, legality, policy and governance. For many using the RTI act became an opportunity to delve into these issues which ultimately enhanced their knowledge and perspectives.

### **Concluding Note**

In the light of the findings of this study some of the theoretical assumptions and underpinnings upon which the objective of this study was conceived, have been found as follows:

- 1) Democratisation as such is not a static goal which can be achieved conclusively. Rather it is a dynamic process which seeks to counter obstructions that are posed in realising the objectives of a democratic structure. This exercise thus studies the ways in which RTI act contributes in eliminating or reducing the effects of these obstructions.
- 2) The research confirmed the theoretical premise that the study began with in its framework, i.e. bureaucracy due to its control over procedures of allocating and distributing social benefits and resources, acquires an upper hand in the relationship between public and itself, a phenomenon that runs counter to spirit of democracy. Thus, modern day democracies which rely heavily upon bureaucracies in their objectives and procedures, also remain in need of democratisation whereby governed are increasingly levelled against the governing class.
- 3) One of the ways in which bureaucracy reinforces its upper hand is through the control over information regarding the procedures of allocation of resources and distribution of benefits. The lack of free flow of information leads to a culture of opaqueness between the public and bureaucracy which directly affects the accountability of the public officials in discharge of their duties.
- 4) Thus, democratisation, in this case would involve opening up of information flow and make it more accessible for the public thus making public officials more accountable.
- 5) Right to Information Act 2005 by making provisions for proactive and reactive disclosure of information becomes an adequate tool for doing precisely this by binding public officials to provide information to the public either proactively or (reactively) in response to applications made by them.
- 6) While engagement with the public officials has always been essential for public to secure their entitlements and basic services, the intervention made through RTI act has made this engagement more meaningful and fruitful. Thus, in certain ways the power imbalance between the public and bureaucracy has been recalibrated to the former's advantage to some extent.
- 7) However as in all cases of reconfiguration of power, there is always a pushback from those who run the risk of losing or actually lose, the upper hand. Public officials who are now bound to respond to the public try to find ways to either derail the very process of information seeking or impede the information giving process by delaying tactics or even threats and intimidation thus proving that no matter what the intent of an act or a legislation, its implementation is always vulnerable to individual or systemic flaws and mala fide intentions.

- 8) Since RTI act is framed to guarantee a fundamental right, its usage for information seeking, informs and sensitises people with the notions and language of rights and legality. The language and notion of rights-based approach to demanding information built in within this right, also provide civil society organisations to sensitise and thus engage more meaningfully with those belonging to socio-economically and educationally backward sections. This sensitisation and perspective building allows individuals to assert themselves against attempts of restoring power imbalances.
- 9) However, it is the provision of adequate safeguards such as appellate and penalty structures which help materialise this sensitisation and perspective of democratisation in actuality. These structures help public realise their right to demand accountability from public officials not only in the immediate scenario of information seeking but also in the larger scheme of public-bureaucracy relationship.

### **Recommendations**

- 1) In light of the observations made regarding the usage of the RTI act 2005, it is recommendable that drawing from the experience of RTI act in enhancing a culture of accountability in public-bureaucracy relationship, policies, schemes and legislations should be equipped adequately with provisions of people-based audits of their implementation.
- 2) It is observed in case of RTI act, provisions of reactive disclosure whereby individuals use specific provisions to seek information from bureaucracy help encourage a more meaningful interaction between public and bureaucracy which goes a long way in recalibrating their power dynamics. Such provisions and mechanisms of meaningful interaction, whereby bureaucracy is bound to respond to genuine communications of common public should be encouraged and on awidespread-basis be installed in processes other than information seeking as well, such as grievance redressal, peoples' inputs in design of schemes and legislations etc.
- 3) With respect to RTI act specifically, it is recommended that RTI applications received by various public offices should be collated and scrutinised extensively to analyse which areas and sub-areas of bureaucratic functioning and scheme and policy implementation attract most RTI applications and with regards to which elements. This may serve as a unique feedback system that flows directly from the public. In this way the shortcomings can be identified in the governance process which directly impact the larger public welfare and attempts can be made to address them. This can also help in optimising bureaucratic functioning and check the wastage of state's resources.

Together these recommendations, be it encouraging culture of public audit and bureaucratic accountability, greater meaningful public-bureaucracy engagement or RTI applications being used as a feedback system can greatly help balance the power dynamics between public and bureaucracy and help counter the impediments in the way of greater democratisation.

# Selected Perspectives drawn from Subjective Responses of the Interviewees

"One thing that got revealed with the coming of the RTI act was that all the government departments wish to hide their activities from the public. And they don't want that the culture of transparency should evolve in society, because if that happens then public will be able to use it. So, they wish to hide everything. With the advent of RTI what emerged was that with its use we can bring out the hidden facets of any department in wider public interest. Many a times we file RTI, to which they don't respond yet do our work." - Naresh Paras

"I think even today the challenges that you face without using the RTI act are very difficult and I think that's where the change in mindset that one had hoped for hasn't come. Even today if I want to ask how a government office is functioning and I pick up the phone, I don't think they will give [the answer] to me which actually they should. I can file the same thing through the RTI and get the information. I think the mindset shift that "look now we have to be open", hasn't still happened. In that sense, that perception remains the same. You keep arguing as to why would you want an RTI to be filed, you might as well put it in the public domain, but that mindset has still not changed." - Amrita Johri

"For the people from the marginalised sections, let's say people living in the slums, it's not about using alternative means. The RTI is pretty much the only means to get their work done or even get any kind of response from the government. Another thing is that the means of grievance redressal in our country have completely broken down. You can file hundreds of complaints on a drainage that's not clean, asking for it to be cleaned, nothing will happen. You file one RTI as to what happened on my RTI, that's the first chance to get a response from the government department or even someone to do the work. For the lower classes RTI is not a fancy alternative to other means. I think it's the only way for them." - Amrita Johri

"In terms of people's participation in government affairs, I think that's where we have seen the most powerful change in the affairs and that's probably because in that interaction, earlier the person would be completely uninformed and the government had all the information. Information is power in that sense. Today people go armed with information. Today people can say that this is what they have actually found out that the government can do, so why there is no action or implementation. To break it down on the most basic level, today people can look into any government office. Before this you couldn't even walk in to a government office, the guard would stop you from entering. I have seen thousands of interactions where people are demanding something but the person on the other end flat out denies that they will do anything and then the people would say that they will file an RTI. That is really in a sense, citizens understanding citizenship, standing in a place of rightful power, standing in places and rightfully demanding what is theirs." - Amrita Johri

"I think many people had a view that once there would be transparency in the system, things would change, systems would improve. One thing was very clear that the RTI law was just a law to get information. So, no one expected for it to do much beyond that. But if we look at the larger picture of transparency and what effect transparency has, the hope was that a more open and more transparent government would result in automatic improvement in systems. What one would have expected was that, supposing initially, a very large number of applications were being filed under the RTI by people who were not getting their rations or not getting their pensions. If the government actually took those applications seriously, where they analysed those applications and saw that thousands of people were repeatedly saying that "I haven't received my ration", "please tell me

when will I get it", one would understand that it is systemic breakdown. They would use that as a feedback and fix their systems. They would try and understand as to why ration is not being delivered. Where is the corruption exactly? They would try and censure the officials who are involved in this. They would try and understand why is the grievance redress mechanism not working. The reason is that the government hasn't seriously taken the RTI as a feedback mechanism. They haven't analysed the RTI applications. That needed to be done so that eventually changes could be brought about to the system to improve it." -Anjali Bhardwaj

"RTI in itself means nothing. It's a tool. Which is why in some sense it is so critical for deepening of democracy. It's a tool which actually helps the citizens to engage. There are thousands of laws in the country and people could very well not know about them. Even if they knew about them, they might not get any rights under them but when people file RTIs they can actually know what is happening in the government which is what helps them engage meaningfully and that's how you engage in a democracy." - Anjali Bhardwaj

"RTI takes democracy from a purely representative form to a participatory democracy. And that's what we are interested in. We are interested in participatory democracy." - Anjali Bhardwaj

"Mindsets changing of the bureaucracy and the government officials is a challenge. But even the mindset of people. Because you see, there is such a tremendous feudal system of functioning, such a tremendously secretive and opaque system of functioning that people are also not used to asking questions. There is a complete "mai-baap" culture. Even the MLA and the councillors are very shocked that people are asking them for information but people are also very shocked that how are they supposed to demand information from them. Because it's so ingrained. But I think that's what RTI is supposed to do and that's what it is doing. So, when we say that it is redistributing power, it's tilting the balance of power, the reason why it's doing it is because it attacks and goes against all those systems, feudalistic systems which we have so imbibed and are just so ingrained in us." - Anjali Bhardwaj

"Bureaucracy now is bound to reply to everything. Before this act there was no one specific person who was responsible to answer people's queries. Now in every office there is one person who is bound to give you answers as per the law. Even if he is a lower ranked officer, he needs to ask the relevant authority for the information but definitely give the response." - Arvind Sutaal

"A lot doesn't change even with the RTI. There is no action taken against corrupt officials usually. They keep working as they were. Although there has been some change in levels of corruption, it is very minute. Mostly nothing remains changed because of no action against the responsible officers." - Yogesh Dubey

"If we don't get justice then we will definitely file RTI applications. This is like a weapon according to me, for the poor where they can, without any violence, fight in writing. It will take some time but as per my experience down the line we will win our fights. This is my experience and this is my weapon." - Vandana

"I am not that aware regarding issues as the educated people are but I would say that they should not do such things, that anyone would need to file an RTI. If they do those things properly and not harass the common public, why would the public file RTI. They say "you people file RTIs", but then why would we if they don't do such things." - Prema

"RTI I feel is like a cane for a blind person. A person can be bold and not afraid and go and ask for information. Earlier there was no such option. Earlier they used to shoo them away like dogs. They

used to chide and say "What is RTI". The law was there. It was there since 2001 itself. But people were not aware. Women like us had no idea. When women like us are facing problems even today, then what about those who are not at all educated. What would happen of them. They amend this law again and again. Still we persist with it. Because I say that if RTI act is finished, the poor and the people from tribal communities in villages or in cities would face a lot of problems. And what all they are getting today, they won't even get that."- Pushpa

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# Questionnaire

Name

Gender

Age

City

Occupation

Education

- 1) When did you first file an RTI application? How many applications have you filed thus far?
- 2) What were the issues that you initially asked for information about and how did that pattern evolve?
- 3) How and when did you come to know about the act?
- 4) How did you initially come to know about the procedures for filing the application?
  - a) Internet (Online forums, government websites etc.)
  - b) RTI activists
  - c) Any government organisation
  - d) Others
- 5) How do you file the application: by post or in person? How do you prefer filing your application and why?
- 6) Before filing an RTI application, were you involved in activism? Did you use to contact any government authority directly for any issue?
  - a) If yes, then how did your experience use to be?
- 7) Do you think the language of the RTI act is comprehensible enough for common public to properly understand its provisions?
- 8) Before filing an application do you read any of the following in order to know more about the issue you were addressing? Please specify exactly which ones:
  - a) A legislative act
  - b) An administrative/ government order
  - c) A judgment from any level of court
  - d) A policy document
  - e) Any other legal, government or official order
- 9) If yes then are they helpful to you in articulating your questions in the application? How?
- 10) Do you prefer appearing for appeals yourself? What is the common people's preference in this regard from your experience?
- 11) How are your experiences with the appeal processes? And how are the experiences of the common public from your experience?
- 12) Did your perception change about the bureaucracy and government officers after filing RTI application? How and why?
- 13) In suggesting the use of RTI act to people, how do most of them respond:
  - a) Very willing
  - b) Reluctant
  - c) Willing to use alternative means to get work done
  - d) Convinced only when you explain its effectiveness



- 14) Does helping people in filing an RTI, lead to further discussions or sensitisation on issues of governance, bureaucracy, politics in general etc.? If so, then how do those discussions go?
- 15) Do you perceive RTI act as:
  - a) A right
  - b) A mechanism for ensuring public accountability
  - c) As a means to obtain justice
- 16) How important do you think is public participation in bureaucratic and government affairs and working of democracy? Does RTI help in increasing this participation?
- 17) Does using the RTI act help in increasing knowledge about acts, government affairs, bureaucracy, legal affairs etc. in your experience? How?
- 18) Do you think that RTI has potential to be misused? In what ways?
- 19) How can the present official system in place for implementation of RTI act be improved?
- 20) Have you been ever denied information on the grounds of exempted information? What were the grounds? How did you respond?
- 21) Has using the RTI led you to participate in any bureaucratic or government procedures or deliberations? How?
- 22) Has it become easier to obtain information or get assistance from bureaucracy in your experience since the promulgation of the RTI act even while not using the RTI itself?
- 23) What has been the impact of RTI on the relations between common public and bureaucracy?
- 24) Has RTI been responsible for a more active civil society in India? How?
- 25) Has there been an impact of RTI on the following in your opinion? How?:
  - a) Policy Implementation
  - b) Corruption
  - c) Democracy
  - d) Citizenship
  - e) Justice
  - f) Legislations
  - g) News and Media
  - h) Bureaucracy
- 26) What kind of issues are most effectively addressed through RTI usually and which should be prioritised by people filing RTI applications?
  - a) Corruption and Public Accountability
  - b) Human Rights
  - c) Social and Welfare schemes for marginalised sections
  - d) Social and welfare schemes for impoverished sections
- 27) Do you see any distinction between RTI as a fundamental right and as a use-based right? What are the provisions that ensure fundamental nature of the RTI in your opinion and are they adequate?
- 28) RTI is also a use based right which makes it different from other fundamental rights. Do you think this provision helps democratic sensitisation of people in anyway? If so, then what is better for democracy, that RTI should remain a user based right or should acquire a more fundamental nature?
- 29) Have you been asked to give reasons for asking for information by any CPIO or PIO? What was your reaction?
- 30) Are you satisfied with the penalty provisions for unfair or wrong discharge of duties by the information officers as provided in the act?
- 31) Do you think this act has potential to remedy or redress human rights violation effectively?
- 32) Do you think RTI has the potential for political empowerment and sensitisation of common public? How?