

# Right to Information as a Catalyst for Transparent and Accountable Governance

---

**Dr Abhijit R. Chavan**

Professor of Chemical Engineering,  
Dr Babasaheb Ambedkar Technological University,  
Raigad - 402103, M S.  
archavan1972@gmail.com

## Abstract

*The Right to Information (RTI) is a basic human right and one of the most important preconditions for the introduction of transparent, responsible, open, and participative democratic governance, which can take different forms depending on national and local contexts. RTI comprises supporting, relating, and combining substantive and procedural rights to enhance efficient access to information held by public authorities and private companies. It has been through a host of legislative and other actions that the constitutional right to free access to information on governance has been steadily put into practice, both at the national and local levels, in more and more countries, eventually making it a recognisable political and economic human right internationally. Public authorities and the availability of information through private companies have both informal and formal dimensions that influence the quality of governance. Another strong body of analytical literature indicates that information can enhance the quality of governance by providing access to active external analysis and public accountability mechanisms, and by promoting the need to seek new forms of citizenship, community and civic activism, and social accountability. Against the backdrop of these social crises, there is an increasing global preference to gain a clearer insight into the processes and structures according to which information contributes to the popular demand of accountability, improves the functionality of government branches, and permits people to act collectively and influence the actions of the government and the business world. Citizens can use information to participate in the deliberation of government policies and express their preferences regarding government policies and budgets (Mabillard et al., 2019).*

**Keywords:** Right to Information, transparent governance, accountable administration, civil society participation, open data, digital governance, anti-corruption, citizen empowerment.

## **1. Introduction**

Since the 1990s, official legal recognition of the right of people to access information held by public authorities has been gaining increasing importance in both domestic and international law. The United Nations Human Rights Council voted in May 2007 on Resolution 4/3, stating that the right to information is a fundamental human right and that it is necessary to exercise other human rights. The working definition of the right to information relied on access to information held by the state authorities. The realisation of democracy, good governance, and the rule of law requires transparency and accountability. The right to information can be used as a means of promoting transparent, accountable and responsive governance.

## **2. Right to Information Conceptual Framework.**

Before the advent of the Internet, political theorists had assumed that citizens are enabled by their awareness of popular choices and of the services provided by the government. According to John Stuart Mill's *On Liberty*, it was not possible to have the government as having absolute power over citizens, but rather a master-servant relationship, and access to information was a prerequisite for such awareness (Fakrul Karim, 2013). The importance of information and

transparency in accountability systems was highlighted by numerous pro-democratic authors, including Aristotle, Cicero, Machiavelli, and others (Mabillard et al., 2019). As information and communication technologies (ICTs) developed and people became increasingly open, the importance of access to information was further emphasised, to the point that it is now viewed as a human right.

With the realisation of the significance of information access, the issue of excessive information classification became relevant. The introduction of Right to Information (RTI) laws has gained popularity over the past two decades as a means of fighting corruption and promoting good governance. Recognition of the right to information has become a worldwide phenomenon, and its application has also become a recent event. The evaluation of the implementation of the right to information across over 120 jurisdictions in the 1990s was conducted by Fourth Estate, a Washington-based non-profit organisation. Since information availability significantly increases government accountability, it has been argued that the presence of RTI laws alone may not be sufficient to generate accountability; rather, a focus on information and information analysis is important as well.

## **2.1. Legal Foundations and Historical Development.**

The right to information was first described in Sweden in the 1760s. Formed in response to the need to permit the population to check government activity, the shift towards a more generalised right also took a century to become active. The development of ideas such as freedom of expression and of the press paralleled it. Freedom of information is a human right and a democratic principle acknowledged by the United Nations General Assembly in 1946.

By mid-2016, 118 countries had enacted legislation on access to information. The development of access-to-information legislation has also entailed mapping the main features of such legislation across 119 countries. Legal frameworks that regulate the right to access information are highly heterogeneous and vary across political and cultural environments (Mabillard et al., 2019).

## **2.2. Definitions and Scope**

There are various definitions of the right to information (RTI) on the international, regional and national levels. It is not specified in the Universal Declaration of Human Rights but is implicitly acknowledged on several occasions; e.g., Article 19 identifies the right to speak with the right to know. The International Covenant on Civil and Political Rights stipulates in Article 19 that all people

have the right to freedom of expression; that freedom includes the right to seek, receive and impart information and ideas of any nature. In Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, it is stated that everyone is entitled to freedom of opinion and expression, which encompasses the freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and without interference across frontiers. Articles 6 and 10 of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms restate the parallelism of full and effective participation in the conduct of public affairs and the right to seek, receive and impart information (Pal Singh, 2011).

## **3. Mechanisms of Information Access.**

The public authorities are supposed to respond to information requests within a specified period, and failure to do so should motivate applicants to be more effective and help track the progress of applications. The requirements can also guide jurisdictions in the effective use of access schemes. In line with the principle of maximum openness, general exemptions are usually anticipated by law; however, they are not neutral or harmless (Mabillard et al., 2019). The

right of access is still subject to an overriding interest, such as a privacy or national security interest. These constraints are controlled, with varying levels of specificity, by countries operating in parallel to restrain discretion in refusing requests. The disclosure of information constitutes a taint of debilitation on the right to access and other competing interests. In some cases, information is also disclosed in documents, with the sensitive parts deleted (Fakrul Karim, 2013).

### **3.1. Timelines and Procedural Rights.**

The public authorities must disclose the information within certain time frames; failure to handle the requests promptly should also be explained. Governments must comply with requests to obtain various types of information stored by government bodies within a specified time frame, without unjustified delay. State affairs are usually not known beyond the state. Administrative information should be publicly accessible to ensure transparency and accountability; withholding it compromises the integrity of the office of the people and can lead to civil unrest and corruption. The details prescribed from one jurisdiction to another are different. The information requested often includes policy, decision, budget allocation, procurement, account, position, memo, and payroll information, as well as project completion and many

others (Mabillard et al., 2019). The mechanism for access to information should have the mandate, authority, and capability to provide holistic access to even sensitive information in the state. Relevant criteria for identifying an independent institution specifically configured to meet the requirements have been determined. The adoption of access to information systems in countries has an operationally independent monitoring body that does not directly impact the executive (Verhoeven, 2000).

### **3.2. Balancing Public Interest and Exemptions.**

In the Right to Information (RTI) law, exemption categories are defined as classes of information that the RTI law expressly recognises as not being under the scope of the RTI framework or are exempted by the law regarding the disclosure of information in the near future. The narrow scope of exemptions is fundamental to making RTI a catalyst for good governance; however, overly broad or liberal exemption clauses can undermine this effect (Mabillard et al., 2019). There should also be an exception between the general categories in the RTI-system and the rule of law concept of the limitations- notions, in other words, the type of information that can be withheld so that other rights that are acknowledged by the law can be

safeguarded in the exercise of the right of access to information.

The use of exemptions must be perfectly balanced between rival interests and the sociopolitical environment in which they are applied. Transparency promotion is a widely embraced fundamental social value and cannot be divorced from the essence of democracy and the rule of law. Governments are supposed to seek and actively release information that is cost-effective, so that a certain level of information is released as a naturalised operation, facilitating democratic involvement (Henninger, 2017). It is common knowledge that during the initial years of execution, Step 3 should focus on transparency, placing greater emphasis on sharing non-sensitive data and gradually expanding the RTI system's boundaries.

### **3.3. Open Data and Digital Governance.**

Digital governance is a relatively recent field within public administration, defined by the utilisation of information and communication technology (ICT) in administrative and service delivery systems. Along with the shift to digital governance, virtually every nation is subject to the open data trend, which involves datasets shared by governmental authorities and made accessible to citizens in a machine-readable format, with no limitations on reuse. This trend has promoted the

creation of open-data programs and systems to support citizens' access to information and active participation in administrative processes. The open data policy is another avenue for citizens' access to information, complementing both official requests and proactive disclosure (Mabillard et al., 2019).

The objective of open-data policies is to make available to the citizens what they desire to know in the first place. Different reports have examined how individuals consume publicly available information; users are categorised into the general population and diverse interest groups, such as academic scholars, high school students, teachers, artists, and political activists (Simone Noveck, 2018). The policies of open data, which entail the principle of freedom of use, create another stimulus for civic activism and citizen-initiated innovation within the public sector, a further input to the open government paradigm. Through co-designing and co-delivering policy solutions, governments not only inform citizens about policy but also actively engage with it. Celia Lury emphasises the necessity of moving beyond merely informing the population with data to the next level, where citizens engage in the provision and creation of the statistics they desire to be conducted in the first place (Halberstam, 2015).

### **4. The Power of Information as a Consumption Mechanism.**

A powerful government administration is endowed with a major role in gathering, processing, managing, and eventually sharing information. Other government systems in use in the past may be termed closed information systems, in which the government maintained a monopoly on the right to gather and manipulate information, and citizens had to request information under stringent requirements. The information was usually heavily censored when released. With the development of systems and technologies towards open governance, significant access to information and information-sharing networks for the people is now a reality. Social media, web-based systems, and cloud technologies, among others, have turned databases and archives into semi-public documents that many people can access. Governments are more willing to take the initiative to share previously unpublished information and deliver it through more convenient channels (Mabillard et al., 2019). What was previously classified as top-secret, personal, or private information is being provided as part of the record. The standard of record-keeping that facilitates and lends credibility to such sharing over long periods is established and strengthened across areas of influence and practice. An example is the global Open Government movement, which emerged in 2011 in the Open Government Partnership and has since

grown quite significantly (Halberstam, 2015).

The general establishment of Right to Information laws has also led to the periodic release of certain types of information by government establishments. Many government entities across various environments currently have highly organised systems for producing information that constitute what are sometimes called transparency reports. These documents normally provide an overview of requests made and information disclosed under access mandates of law. This reporting can be done on paper or electronically, and annually or biannually, depending on the jurisdiction. However, the ability to generate this information and the quality of the information itself may differ greatly across nations and among the different tiers of government.

#### **4.1. Public Audit and Oversight**

Making information available is a key prerequisite for practising open audit and control, reducing corruption, and enhancing accountability within public administration. Publicly disseminated information is a valuable asset to the media, civil society groups and active citizens. It has been employed to ensure that action is taken to mobilise people, advance the political agenda, enhance accountability mechanisms, and improve service delivery. Therefore, the passage

of access-to-information legislation in most nations around the world is a major milestone for citizens, as it gives them the means to access pertinent and timely information about their governments' operations.

The effectiveness of such regulations, however, is strongly affected by how they are designed to enhance transparency and accountability. Depending on the design decisions, the time at which the information is to be received, and the kind of information people are to seek, are identified. Submission, response, appeals, and enforcement modalities, as well as the ability of governance information systems to adhere to the law, all significantly influence how the law is applied and affected. When formal legislation is being discussed or considered concerning access-to-information legislation, the institutions of the public sector may choose to develop proactive systems, placing the relevant information in the public domain whenever it is convenient to the public to know about it, and when safety and utility considerations allow it (Mabillard et al., 2019).

#### **4.2. Civil Society, Media and Citizen Engagement.**

Information is vital for enabling citizens to express their voices, hold the government to account, and take part in

decision-making (McLoughlin & Scott, 2010). It empowers citizens, including vulnerable groups, to enshrine their rights and entitlements. Good governance and development can only take place in the event of transparency, and the capacity of the citizens to demand and utilise information, but this is usually constrained in low-capacity settings. The many hindrances to accessibility include a lack of government support, limited legal understanding, and structural limits such as low internet penetration in remote regions. The information is often not given by the public officials. Participation, economic development, poverty reduction, and anti-corruption efforts can be improved by establishing a legal right to information, supported by public information systems.

Civil society and the media are critical to ensuring citizen participation (Halberstam, 2015). Other examples include public-interest research groups. Civic technologies and open data portals allow citizens to access and analyse government data on the Internet, thereby promoting transparency. Social media platforms, which will also be included in the collaboration process, will help invite citizens to participate in problem-solving. There are various types of transparency, including the right to know, regulation, rulemaking, and Open Government. The right to know stresses government accountability, whereas Open

Government focuses on information disclosure in order to promote social welfare. The disclosure regimes are designed to provide uniform information, thereby discouraging misconduct and assisting public agencies in meeting welfare goals.

### **4.3. Examples of Success in Dissemination of Information.**

The laws governing access to information allow citizens to demand government information actively. Studies conducted across different national settings demonstrate that these laws promote transparency and accountability and shape the design of open data projects.

The freedom of information (FOI) legislation enables citizens to demand access to official information, promoting transparency and accountability in democratic practices (Mabillard et al., 2019). Promoting openness is one of the principles of effective governance that reduces the corruption rate and encourages civic participation. Significant diversity of nations across different geographical locations has adopted FOI structures, resulting in a holistic body of academic research exploring the requisite attributes for successful access privileges. Empirical research questioning law itself, implementation possibilities, and quantifiable global impacts highlights an increasing realisation of whether

transparency policies achieve their fundamental aims.

The example of open aid and budget data projects in Nepal illustrates an early, low-profile period of open data policy, motivated more by supply-side demands (Sapkota, 2014). Social pressure from civil society organisations (CSOs) can be effective in breaking down essential political and policy barriers that might otherwise be overcome only through external pressure. There is an apparent expectation on the part of government data providers that data users need to have significant technical sophistication and be attentive to information integrity; officials are always looking to conduct various briefing sessions and to broadly release open data resources to ensure buy-in for related programs. A prevailing culture of reactive release exists due to a lack of willingness to share raw datasets, stemming from fear of possible negative consequences among state institutions. On the other hand, various players, such as journalists, CSOs, and tech gurus, campaign hard to ensure that meaningful open data across all fields is published on time to expose corruption, mismanagement, and financial irregularities.

The availability of disaggregated information also helps promote analysis and expand the knowledge base among the masses, thereby advancing accountability goals. A participatory

process involving various stakeholders is vital for assessing open data mechanisms tailored to Nepalese needs, thereby promoting the twin goals of transparency and participation. Large-scale civic dialogue is also necessary to influence the policies and practices that underpin open data sharing, and to reconcile the newly developed agenda with current right-to-information (RTI) efforts to develop more comprehensive governance imperatives.

## **5. The transparency of Government in Public Administration.**

The availability of information is one of the cornerstones of open, transparent, and accountable governance and has increasingly drawn the attention of researchers, civil society actors, and practitioners. These countries, with freedom of information systems and databases of government deliveries, accompanied by frequent monitoring, independent control, and participation of civil society, perform more effectively on indicators of transparency and accountability (Jashari & Pepaj, 2018). Transparency initiatives, including public audits, legislation that provides citizens with access to information, and citizen-engagement measures such as citizen budgets and performance scorecards, directly affect corruption and input service provision (Mabillard et al., 2019).

Good governance demands that the executive arm be in a position to carry out its mandate uprightly and efficiently, in the interest of the people. The availability of information can enable greater scrutiny, helping prevent policy failures and improve accountability. When the procedures and outcomes of government actions are exposed, politicians may become less likely to engage in corrupt activities. Integrity is strengthened by transparency in transactions and decision-making, and enhanced by social input into service delivery, which encourages a culture of performance. Budgetary data and citizen involvement in budget preparation increase citizens' and civil society's ability to interact with the government on planning and spending priorities, as well as to monitor the achievement of expected outputs.

### **5.1. Transparency in Corruption by Access to Information.**

The fact that information is a potent tool for transparency and accountability in public administration management cannot be overstated. Transparency, as a broad rule of government action, is based on the timely and efficient provision of information, supported by the right to access information, as stipulated by legislation governing citizens' access to information held by governmental bodies (Mabillard et al., 2019). The availability of information enables people to question government officials' efforts and demand

answers for every misdeed and corruption case. Policies regulating access to information offer not just a system for promoting transparency in the delivery of services to the people, but also aid other valuable principles of governance, such as accountability, responsiveness, and equity.

The proliferation of laws on access to information was an undeniable occurrence in recent decades. It became one of the main demands of citizens to promote transparency, accountability, and democracy in government. Those countries that have adopted such laws have shown progress in perceived corruption and in corruption-control measures.

## **5.2. Transparency in performance and delivery of service.**

The availability of information to the public can enhance service delivery because citizens can assess, monitor, and influence service delivery. The availability of information enables citizens to be presented with the numerous inputs through which the performance of the public services can be measured; information about rules and processes that regulate service delivery; information about service costs, and the performance of services that the government offers, NGOs, the private sector, and community organisations. Responsiveness to queries or complaints,

through the provision of sufficient and prompt responses, is also a major indicator of service performance, as is the adoption and publication of service charters. Several nations are working to expand access to documentation on the service delivery process (Z. A. Adams & Chong, 2019).

Governments have begun to insist on answering citizens' requests to know how money allocated to particular services is actually spent, to track the chances of benefits or assistance from certain schemes, or to receive explanations regarding governmental procedures (Mabillard et al., 2019). Transparency reforms are used to respond to these demands by making information concerning budgets, expenditure tracking, service delivery surveys and assessments, control reports, and performance assessments publicly available to citizens (M. DYAJI et al., 2019).

## **5.3. Budgetary Transparency and Financial Scrutiny.**

The world's experience has shown that the transparency of how funds are allocated to people affects the accountability exercised by the authorities. The study conducted in Macedonia has demonstrated that cities without effective transparency systems to oversee the financial management of state funds have higher corruption rates than

those that are open to auditors (Trenovski, 2014). The attempts to make the budget transparent in the Macedonian municipalities started in 2004 with the creation of the Fiscal Transparency Coalition. According to an experience study in Papua Province, Indonesia, it is common for government agencies to treat budget documents and other state financial information as state secrets and to restrict community oversight (Hutabalian et al., 2016). The principles of transparency have not been fully embraced in the province's budget planning and implementation. Budgets, even those passed by Parliament, are not widely distributed. An open budget portal should be developed to enable the citizenry and civil society organisations to track the budget process and use the funds to meet their needs. Both national and provincial policies of budget openness and transparency have been instituted to promote transparency.

The availability of information on government expenditure has direct implications for citizen oversight of budget implementation and policies that can improve service delivery (Mabillard et al., 2019). Overseeing and observing the implementation of national budgets is one of the most urgent issues in governance. Nonetheless, the amount of donor support does not eliminate the considerable information gap regarding how members of Parliament,

independent agencies, and civil society can follow and challenge budgetary decisions and outcomes. Budget proposals have been presented using integrity- and performance-based budgets to improve the quality of fiscal analyses and to better understand budget propositions. No major budgetary data, however, includes the resources distributed, the money demanded by line ministries, the money spent, and the delivery of the public services, which are publicly available.

## **6. Challenges and Limitations**

The right to information (RTI) is a powerful governance tool, an instrument of public audit, civil society activity, and citizen empowerment, promoting development dynamism by providing trustworthy leaders who exercise political discretion in mobilising resources in the best way possible. The implementation of RTI frameworks worldwide has been hindered by limitations on access to information and other vestigial issues (Mabillard et al., 2019). It is especially difficult to enjoy the desired fruits in developing countries as the RTI legislation faces the structural barriers of deep-rooted traditions in the old governance and the backward forces of technocrats' inertia, and the lack of power devolution to local authorities and public sector corruption caused by the earlier and recent technocratic leaders (O. Arowojolu, 2015). These socio-cultural

and bureaucratic centralisms, along with under-resourced state systems, greatly jeopardise the application of RTI and further increase information suppression. In most societies, and notably in sub-Saharan Africa, civil society participation is minimal, and there is no clear media environment that provides people with access to information.

### **6.1. Organisational Strengths and Weaknesses.**

The adoption and application of the laws regarding Access to Information (ATI) are characterised by considerable delays and take several years, or even decades, to complete. It may be difficult to obtain the political goodwill needed to present the relevant legislation, and finally securing the commitment required to implement it is equally difficult. ATI legislation is often introduced alongside further pro-transparency reforms, including the creation of independent anti-corruption agencies, conflict-of-interest laws, and the creation or re-creation of audit institutions. It can therefore be subject to the same restrictions as the rest of the reform agenda. Without them, severe challenges in meeting even the most fundamental requirements outlined in ATI laws often remain (Mabillard et al., 2019).

Political will can be on paper- once more, when broad definitions of ATI are created, the law is not correctly enacted.

The understanding of political will should consider the administrative functions and the associated limitations that hinder its implementation, which in this case includes allocation of work across different institutions, overworking, or the decision of who is the relevant authority, which in certain cases has involved municipalities and state-owned enterprises or organisations, where the law concerning access to information does not apply at all. The concept of an authority's capacity is grounded on such concepts. The nation can also have a legal system. However, that system cannot be used to enforce or implement a decision-making procedure that does not involve publicly accessible declarations, even when there are no records to support the decision. This necessitates an analysis of both legislative and administrative dimensions, as both are determinants (Kaufmann & Bellver, 2005).

### **6.2. Data Protection, Security, and Privacy.**

The growing volume of public data stored and shared by the government raises concerns about privacy, personal security, and data safety. The application of information technology enables administrators to gather and process meaningful administrative data. This creates risks that may threaten people and leads to controversy over the information provided to the general

population (Halberstam, 2015). To counter such risks, governments establish legal frameworks and constitutional limits on the types and characteristics of information that the administration may collect about individuals in the private sector. A delicate balance should be struck between citizens' right to obtain operational information about governmental services and individuals' right to the protection of information about their personal activities (Mabillard et al., 2019).

The large-scale creation of Official Secrets Acts and other information-protection laws, such as limited access to government and judicial business, reflects ingrained cultural tendencies towards secrecy. Political parties, organisations, and individuals are interested in preserving the status quo, which suppresses the ethos of free information. Moreover, claims about the primacy of national interests are often invoked to withhold materials deemed relevant to accountability.

### **6.3. Political and Cultural Obstacles.**

Nation-building requires transparency, accountability, and good governance. However, the transparency and accountability may be affected by the culture, socio-economic development, and political regimes (Mabillard et al., 2019). The difference between the transparency and accountability policies

embraced by different regimes and societies is very significant (Kaufmann & Bellver, 2005). Political leaders possess varied intentions regarding the channels and procedures of the transition from authoritarianism to democracy, particularly with respect to transparency and accountability. As a result, communication strategies also differ accordingly.

### **7. Comparative Lessons Learned and Perspectives.**

Since the spread of freedom of information laws in most countries around the globe, there have been numerous forms in which they have been designed and operated (Kaufmann & Bellver, 2005). There are more than a dozen countries and various regional groupings in which comparative studies on the nature and impact of these legally provided rights to demand and receive information have been conducted (Mabillard et al., 2019). Findings indicate that the two or more normative frameworks and compliance mechanisms established to meet such requests yield varying political and social dividends. As a matter of fact, despite all the political and historical differences evident among the cases under analysis, the overall organisation of the existing official mechanism and how other systemic design factors supplement it have proven to make a significant difference to the assured accessibility to information.

Much attention should, however, be given to how similar countries have dealt with these issues, how willing they have been to abide by the ensuing structures, and, most importantly, the magnitude of the benefits that have accrued.

### **7.1. International Experiences**

The development of rights, including the right to information and freedom of expression, constitutes one of the factors that create the necessary sensibility to adopt a proactive legal framework. The idea of open government is expected to systematically keep citizens aware of how their government administers its affairs, provide a platform for them to participate in the making of its policies, and offer systems through which they can oversee the performance of their governmental deputies (Mabillard et al., 2019). The evolution of these rights has also been accompanied by technological innovations and ICTs developed in recent decades. The advances enable public sector agencies to enhance transparency through online portals and other internet-based tools that actively release information about their policies and actions. Most countries with access-to-information legislation provide some online availability of information on their respective implementation platforms, alongside or in addition to more traditional media (Kaufmann & Bellver, 2005).

### **7.2. Normative Frames and Compliance Systems.**

The successful application of the right to information presupposes the development of an appropriate normative framework that accommodates diverse national conditions, encourages proactive transparency, and constrains the discretionary authority of government officials. A detailed and integrated legal framework, therefore, needs to be developed. Along with the stated need in the legal framework, there should also be additional political, institutional and cultural factors that will facilitate the feasible actualisation of the right to know, particularly regarding the field of transparency to maintain citizen involvement (Mabillard et al., 2019).

Global principles on the right to information are set out in numerous political and legal documents. The Global Conferences, such as the one held in Accra, Ghana, in 2008, resulted in a declaration calling for such regulations at the national level by representatives of governments, civil society, and the advocacy group Open Government Partnership. At the regional level, other exigencies arose from the pooling of states in the European Union and in Africa. Different legal frameworks have been implemented in different countries according to the national specifics. The European Union has identified three

dimensions that may influence legislation, namely the access-to-information process, centres of responsibility, and information transmission (Kaufmann & Bellver, 2005).

## **8. Implications of Policy and Reform Directions.**

The Right to Information (RTI) may also lead to the transparent and accountable governance provided the policies and regulations are formulated in a way that (a) the law enables citizens to access the information about the public bodies, (b) the governments are obliged to release the most important kinds of information without any requests, and (c) the citizens are provided with the opportunity to work with the information published by governments. Procedural and institutional measures should be implemented with appropriate regulatory design to establish an enabling environment for effective access to information. The legislation must define the process for access to information, define the Information Officer, and assign independent regulatory organisations to monitor adherence; the absence of these may have a severely debilitating effect on the regime's performance. Specific focus should be given to local governments, as most countries lack elaborate structures that extend beyond national boundaries. An integrated delivery that includes all dimensions, global and country-level, legal and institutional, proactive

disclosures and public access, and political participation is the most effective way of making RTI regimes effective in increasing transparency, accountability, and anti-corruption (Mabillard et al., 2019).

The institutional structures in place to facilitate access to information should be based on administrative priorities and settled practices, and the institutional design and capacity determine how open it is. There are three kinds of institutions involved: the supervisory regulators, which ensure compliance; the institutions that make requests; and a broader ecosystem of social interaction (Halberstam, 2015). Countries have adopted different solutions for each aspect, and various institutional designs can facilitate transparency.

Solutions that can be implemented with the assistance of technology and applied to provide wider, more efficient access can involve streamlining paperwork, tracking requests, generating statistics, and designing convenient filing options with ease of use. Governance trends such as electronic requests, proactive dissemination portals, and systematic data collection have become significant. An elaborate data governance policy, in turn, would contribute to the facilitative effect of RTI by clarifying the regulation of data gathering, management, sharing, and release, especially of open data.

### **8.1. Post-Lawmaking and Regulatory Supervision.**

The efficacy of access-to-information laws will partly depend on the regulatory framework under which they are implemented.

Strict monitoring of access to information is essential to the full fulfilment of the right to information and to the positive effects it may produce (Mabillard et al., 2019). To enforce the legislative agenda, a body or authority with the mandate to ensure compliance, hear appeals, and enforce the law must be in place. The regulatory body should have some level of autonomy from the executive. This type of independence is frequently accompanied by open recruitment or appointment processes that reduce partisan interference. Particular access to information can also be introduced. These can be guidelines or standards regarding the format and way of information distribution.

The regulatory bodies working in close liaison with legislators can facilitate sound legislative design, address issues of access to information that are often not a focus of legislative provisions, and introduce changes to meet evolving demands. Ideally, they oversee the right to information without encroaching on the area that should be covered by legislation (Halberstam, 2015).

### **8.2. Capacity Building and Institutional Arrangements.**

Civil society, regulators, and legislators have contended that the effective implementation of right-to-information laws depends on the presence of institutions charged with equivalent oversight responsibilities and that establishing oversight bodies is a best practice. The legislation on information access usually incorporates provisions that grant state agencies jurisdiction to make decisions and set norms for the use and implementation of access rights. Several countries have established national ombudsperson offices dedicated to monitoring compliance with access-to-information laws; other ombudsperson offices with broader mandates also monitor compliance with legal frameworks governing citizens' rights to access official information. A growing tendency in the ongoing design, post-adoption amendment, and assessment of access-to-information laws has been to incorporate organised anti-retaliation or security assurances for individuals or groups that submit requests for information or disseminate it. There are normative standards and authoritative indicators that inform the design and evaluation of the access-to-information function, which is viewed as part of the broader array of public administration and policy services. The indicators are based on six main areas of concern,

including the coverage of remote and excluded groups in the establishment of the access-to-information function, institutional arrangements, referrals, and mechanisms in the entire system of public administration, relevant procedures, rules, norms, and guidance, dissemination of information on the existence, or proposed amendments to, access-to-information laws, availability of information on demand, and the government capacity to deliver data through formal application channels (Mabillard et al., 2019) (Fakrul Karim, 2013).

### **8.3. Solutions and Data Governance based on Technology.**

Information within the government is disseminated through technological advances, both proactively and reactively. The latter gives public authorities the power to disclose groups of information considered in the public interest without necessarily being requested by an individual. Open data initiatives exemplify this strategy by providing public administrative data in machine-readable form that ordinary citizens can freely reuse. These systems are also supposed to promote civic involvement and social intelligence and help improve general services.

Proactive disclosure is more of an overall move towards open government, seeking to provide citizens with the tools to check

government activities. This view also acknowledges that even publicly significant information intended for publication, in most cases, may not make sense without certain context provided by intermediaries (Jeet Singh, 2008). Therefore, the freedom of information should not be allowed by law that grants access to documents and creation of new knowledge, but should also prescribe methodical steps towards the delivery of synthesised and contextualised information, such as data related to official priorities, implementation, performance, outcomes and impacts, to help citizens elaborate their own analyses and design the relevant questions to address to institutions and actors in society (Mabillard et al., 2019). These systems, therefore, lead to a political culture that will accept accountability.

## **9. Conclusion**

Open and accountable governance is based on transparency, which depends on public access to information (Mabillard et al., 2019). The right to information (RTI) is an important human right and a core aspect of any real democracy. RTI laws enable citizens to be actively involved in governance, to seek good governance, and to review the performance of the administration, thus acting as the first step towards transparency and anti-corruption campaigns (Pal Singh, 2011). It also improves the quality of government by

strengthening the government's accountability mechanisms. Therefore, releasing information to citizens and ensuring they have the right to ask gives them the power to pose questions to the authorities, seek clarifications, and make better decisions. Finally, RTI serves as a means of changing the position and role of the citizen in relation to the State and increasing transparency and accountability in governance.

### References:

1. Mabillard, V., Sofia, A., & Pasquier, M. (2019). *The use and effects of access to information laws: A study in 14 countries*.
2. Karim, M. F. (2013). *Implementation of the Right to Information Act (RTI-2009) in the selected upazilas of Mymensingh district*.
3. Pal Singh, V. (2011). *Role of Right to Information Act 2005 in human development: an Indian perspective*.
4. Verhoeven, A. (2000). *The right to information: A fundamental right?*
5. Henninger, M. C. (2017). *Freedom of information and the right to know: Tensions between openness and secrecy*.
6. Noveck, B. S. (2018). *Rights-based and tech-driven: Open data, freedom of information, and the future of government transparency*.
7. Halberstam, M. (2015). *Beyond transparency: Rethinking election reform from an open government perspective*.
8. McLoughlin, C., & Scott, Z. (2010). *Topic guide on communications and governance*.
9. Sapkota, K. (2014). *Exploring the emerging impacts of open aid data and budget data in Nepal*.
10. Jashari, M., & Pepaj, I. (2018). *The role of the principle of transparency and accountability in public administration*.
11. Adams, M. Z. A., & Chong, R. (2019). *Transparency for enhancing distinct dimensions with social media mediation on citizens' trust in Ghana*.
12. Dyaji, G. M., Oni, S. O., Ibietan, J., & Joshua, S. (2019). *E-government and the quest for transparent public service in Nigeria*.
13. Trenovski, B. (2014). *Monitoring report on the transparency and accountability of the budget users*.
14. Hutabalian, R., Razak, A., Arief, M., & Ruslan, A. (2016). *The transparency of local financial management in Papua Province is within the framework of establishing good financial governance*.
15. Arowojolu, O. O. (2015). *Freedom of information and the effect on corporate governance in Nigeria*.

16. Kaufmann, D., & Bellver, A. (2005). *Transparenting transparency: Initial empirics and policy applications.*
17. Jeet Singh, P. (2008). *Recommendations for meaningful and successful e-governance in India.*