Amending the RTI Act

Why is the issue?

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The government has proposed amendments to the RTI Act that would allow the withdrawal of an application in case of the applicant’s death.

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What are its implications?

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- The RTI activists are already exposed to violence, all the more so as the Whistle Blowers Protection Act (2011) is not implemented.
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- 70 RTI activists have been killed thus far, besides other cases of assault & harassment.
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- In most situations, cases aren’t even filed and even when filed action has been paltry.
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- This impunity creates conditions conducive for more violence against the RTI activists.
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- Allowing the withdrawal of an application in case of the applicant’s death makes the job of those who file RTIs even more risky.
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- It would also send disturbing signals to the defenders of human rights.
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What has been the spread of RTI related violence?

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- A considerable number of cases are from rural India, a clear sign that the RTI has also been active in the village.

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- The richer states that otherwise have a better track record on crime have seen a larger number of RTI related casualties.
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- Maharashtra, Gujarat and Karnataka recording the highest number of RTI related crimes.
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- This is not surprising since RTI mostly fights against the appropriation of public goods by vested interests, which are comparatively stronger in affluent provinces.
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- This prevalence of violence is only proof of the effectiveness of RTI, that makes vested interests and the government nervous.
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What issues have been the focus of RTI's?

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- The nature of the RTI activist's work is revealing of the character of corruption in India today.
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- Problems pertaining to land, illegal construction and property disputes are the root cause of most of the cases.
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- Then come conflicts due to government schemes – notably MGNREGA.
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- The third category that is also well represented is made of illegal mining, including the sand mafia's activities.
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- **Media Impact -** Even if no action is taken, the media often publicise the cases and give bad publicity to the offenders.
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- In fact, some of the most dedicated RTI activists are journalists.
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- Also, the reasons why small-town journalists are murdered, assaulted & harassed are similar to the RTI activists.
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How has RTI changed the political landscape?

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- The RTI activists not only expose corrupt practices and crimes, but also provide alternative leadership at the local level.
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- Some of them have become community mobilisers and have been elected sarpanch.
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- The RTI Act has indeed empowered young Dalits, Adivasis and members of the minorities.
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- NGO leaders have played a vital role in this change by touring villages and educate people on how to file RTIs.
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What are the other issues plaguing RTI?

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- **Pendency -** While it had already reached 7.55 lakh annually in 2015, it rose by 22.67% in 2016.
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- The number of RTI applications continues to grow & pendency is increasingly becoming a major issue with UP crossing the 48,000 mark.
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- The number of applications filed could easily decrease if the frequently asked questions are identified and other structural reforms taken up.
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- Also, the job of Information Commissioner has become a post-retirement sinecure for former bureaucrats who do not necessarily feel the urge of idealism, thereby aggrevating the problem.
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- **Opacity -** Some of the government agencies (like the PMO) repeatedly refusing to disclose the required information.
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- The Commission does not have enough power for getting responses to its questions and does not have the mechanisms for following up on whether its orders have been complied with.
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- **Training -** Also, the Information Officers do not necessarily get the right

training. This calls for streamlining the process.
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- Universities could include the RTI Act in their train people for making RTIs more proactive.
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Source: IndianExpress

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