

Original Article

Role of the Right to Information (RTI) Act in Promoting Good Governance in India

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Abstract

The Right to Information (RTI) Act, 2005 represents a landmark reform in India's democratic governance framework. Enacted to promote transparency and accountability in public administration, the Act empowers citizens to access information held by public authorities, thereby strengthening participatory democracy. This paper examines the role of the RTI Act in promoting good governance in India by analyzing its objectives, features, and impact on transparency, accountability, and anti-corruption measures. Through various case studies such as the Commonwealth Games Scam, Adarsh Housing Society Scam, PDS Ration Card Scam, and recent judicial and administrative transparency cases, the study highlights how RTI has emerged as a powerful tool to expose corruption and improve public service delivery. The paper also discusses the challenges in the effective implementation of the Act, including bureaucratic resistance, misuse of exemptions, political interference, backlog in Information Commissions, and threats to RTI activists. Despite these limitations, the RTI Act continues to play a transformative role in strengthening democratic values, ensuring rule of law, and promoting citizen participation in governance. The study concludes that strengthening institutional mechanisms, enhancing digital transparency, and protecting whistleblowers are essential to realizing the full potential of RTI in ensuring good governance in India.

Keywords Right to Information Act, 2005; Good Governance; Transparency; Accountability; Democracy; Anti-Corruption; Public Administration; Citizen Participation; Information Commission; Rule of Law

Introduction

Corruption is a universal problem of all countries and it is one of the most detrimental effects of poor governance. Since ancient times, it has been seen as an immoral and unethical practice. It seems like corruption is becoming worse everywhere. Every facet of public life has been impacted by corruption. Corruption has causes and effects on society at large. Public authorities now use the Right to Information Act of 2005 as a powerful weapon to fight corruption. The practice has caused public officers to feel uneasy about accepting bribes. This law has the potential to significantly improve government operations 'accountability and openness. India is big democratic country in the world. In democratic country it is essential aneffective participation of people in politics and administrative matters so that the Right to Information (RTI) Act, 2005 is a powerful tool that promotes the principles of good governance in India by enhancing transparency and accountability in government functioning. It empowers citizens to seek information from public authorities, reducing corruption and misuse of power. In today's environment, openness and transparency in government processes have become essential components of democracy. Information access is a true weapon against corruption and is essential to fostering transparency so that The Right to Information Act, which was passed in 2005, in order to promote good governance and strengthen democratic values.



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This act is essential for educating the public about how different government agencies operate. Establishing a workable system that enables citizens to access information held by public agencies is the main goal of the Right to Information Act. The purpose of this framework is to improve accountability and transparency in public institutions. The Act has been crucial in exposing illegal activity and fighting corruption for the benefit of the people, which has increased government accountability and openness.

Good Governance

Good governance is the cornerstone of a democratic system. It ensures transparency, accountability, responsiveness, efficiency, equity, and rule of law in public administration. In India, with its vast population and complex administrative structure, ensuring good governance has always been a challenge. The Right to Information (RTI) Act, 2005 emerged as a powerful legal instrument to strengthen democracy and promote good governance by empowering citizens with access to information held by public authorities. The RTI Act marked a paradigm shift from a culture of secrecy to a culture of openness in governance. By enabling citizens to seek information about government decisions, policies and expenditures, RTI has played a transformative role in making governance more transparent, accountable, and participatory.

Characteristics of Good Governance

- Transparency
- Accountability
- Participation
- Consensus-oriented
- Responsiveness
- Effectiveness and efficiency
- Equity and inclusiveness
- Rule of law

In India, good governance is essential to ensure that public institutions function in a manner that serves the interests of citizens and upholds democratic values. RTI acts as a critical tool to achieve these above principles. Good governance relates to the political and institutional processes and outcomes that are necessary to achieve the goals of development. The true test of 'good' governance is the degree to which it delivers on the promise of human rights: civil, cultural, economic, political and social rights.

RTI Act, 2005

The Right to Information Act was enacted in 2005 and came into force on 12 October 2005. It grants citizens the legal right to access information held by public authorities, including central and state governments, local bodies, and institutions substantially financed by the government.

Important Features of the Right to Information Act, 2005:

- Citizens can seek information from any public authority
- The term information includes any mode of information in any form of record, document, email, circular, press release, contract sample or electronic data etc. Right to information covers inspection of work, document, record and its certified copy and information in any other electronic mode.
- Applicant can obtain information within 30 days from the date of request in a normal case. In special cases Information can be obtained within 48 hours from time of filing the request if it is a matter of life or liberty of a person.
- Every public authority is under obligation to provide information on written request or request by electronic means.
- Certain information is prohibited for security reasons.
- Penalty for not providing information is Rs. 250/ per day but the total amount of penalty should not exceed Rs. 25,000. Also Penalties for officials who give false information
- Central Information Commission and State Information Commission are to be constituted by the Central Government and the respective State Governments.
- No Court can entertain any suit, application or other proceedings in respect of any order made under the Act
- The Act is based on the principle that transparency is essential for accountability and democratic governance. RTI Act brings the two most important tools 'transparency and accountability' together for eradicating the evil that becomes hindrance to good governance. The Act envisages the harmonization of public interests with the right to information. However, there are some areas where the public interest demands some element of secrecy. Where it has been felt that certain area of governance have to be kept outside the purview of the RTI Act, the same have been exempted under the specific provisions envisaged under the Act. Thus, a harmonious balance has been tried between the two. RTI thus became a tool for promoting participatory development, strengthening democratic governance and facilitating effective delivery of socio-economic services. In the knowledge society, in which we

live today, acquisition of information and new knowledge and its application have intense and pervasive impact on processes of taking informed decisions, resulting in overall productivity gains. Therefore the purpose of the Act is to promote openness, transparency and accountability in administration.

Significance of RTI

Justice P.N. Bhagwati mentioned that "Where a society has chosen to accept democracy as its creedal faith, it is elementary that the citizens ought to know what their government is doing." This statement refers to the significance of RTI in Promoting Transparency and Accountability in India. RTI is more than just a legal provision; it is an engine for change, altering the government-citizen relationship. It is an effective instrument for increasing openness and accountability in government. It gives citizens the ability to obtain information, scrutinize government activities, and actively engage in the democratic process. RTI empowers individuals by giving them the ability to hold government officials and agencies responsible for their actions. It empowers citizens to question, study, and comprehend government policies and activities. RTI's transparency can curb corruption inside the government. When government acts are scrutinized by the public, corrupt practices are more likely to be revealed and eliminated. RTI encourages public engagement in government decision-making processes. Informed individuals may actively participate in conversations and debates about public policy, ultimately leading to more inclusive and effective governance. RTI's Effect on Government Accountability By holding public officials and organizations accountable for their actions, RTI has been crucial in addressing problems with governance, transparency, and public administration.

The Indian case studies demonstrate how RTI has been a useful tool for activists and citizens to draw attention to corruption, call for accountability, and impact political changes. There are several instances of it several cases like,

The Commonwealth Games Scam (2010): In 2010 Commonwealth Games in Delhi, corruption, embezzlement, and poor management were exposed via RTI complaints. Numerous officials involved in the plan were arrested as a result of the findings, which caused a nationwide outcry and investigations.

Adarsh Housing Society Scam (2010): Public interest litigation and RTI investigations revealed a dispute around the construction of Mumbai's Adarsh Housing Society. The building was constructed against the rules and conventions, giving politicians and bureaucrats apartments meant for war widows. Resignations and lawsuits against those involved were the case's outcomes.

Exposing Black Money (2012): Information on unlawful money in foreign banks was sought through an RTI application. Even though there was no response, it helped spread the word about the problem and fuelled discussions about offshore accounts and tax evasion both domestically and abroad.

The PDS Ration Card Scam (2013): An RTI application in Uttar Pradesh revealed that subsidized food for the poor was being diverted through the use of fictitious and duplicate ration cards. Thousands of false cards were revoked as a result of this exposure, saving the government money and guaranteeing that those who needed the benefits received them.

NREGA Implementation in Various States: Investigations, disciplinary measures, and better program execution have resulted from RTI petitions that exposed corruption and anomalies in the NREGA implementation in several states. Recent some Notable Cases like,

Judicial Transparency (Anjali Bhardwaj v. CPIO, 2022-2023): Following the landmark 2020 Subhash Chandra Agarwal case, recent interpretations have strengthened the position that information related to the judiciary, including asset disclosure and administrative decisions, can be disclosed if it serves a larger public interest.

Enforcement Directorate (ED) Accountability (2023): The Delhi High Court ruled that the ED, despite being exempted under Section 24 of the RTI Act, cannot hide information regarding the service records of its officials if it relates to human rights violations or allegations of corruption.

Action Against Retaliation (2023): In a significant move, the Central Information Commission (CIC) directed the Department of Posts to provide file notings regarding the prosecution of a bribe-accused official, stating that the accused cannot use the RTI Act to hide from investigation, and that transparency is necessary in the criminal justice system.

Grassroots Corruption Exposure (2024-2025): Villagers in areas like Madhubani (Bihar) have successfully used RTI to expose a solar-light scam, leading to actions against over 200 corrupt officials etc

Issues and Challenges of Right to Information Act

By providing individuals with the resources and knowledge they need to actively engage in governance, expose misconduct, and hold public officials accountable, RTI laws have significantly raised citizen engagement in public administration. Public service delivery, democracy, and good governance all benefit from this shift. There are several obstacles and challenges in achieving the full potential of the Right to Information (RTI) in enhancing government accountability, such as bureaucratic resistance, a lack of funding, and poor infrastructure. For accountability and good governance, it is imperative to address the challenges associated with putting in place an effective RTI system.

Bureaucratic Resistance: This is a common problem. Public servants could be reluctant to provide evidence that exposes corruption, incompetence, or wrongdoing inside their own organizations. The spirit of RTI may be weakened by this opposition. There may be deliberate delays in the bureaucratic processes used to reply to RTI requests, which would result in lengthy information wait periods. Delays may deter citizens from effectively utilizing the RTI approach.

Exceptions and Modifications: Certain types of information, such those pertaining to personal privacy or national security, are usually excluded under RTI regulations. These exemptions might be used by public entities to conceal information that ought to be made public, which would lessen the effectiveness of RTI.

Lack of Education and Awareness: People may not know how to properly use the system or their rights under the RTI. RTI's capacity to hold governments accountable may be limited by underutilization, which can be caused by a lack of public awareness and education.

Limitations of Resource:

Public entities might not have the funds necessary to respond promptly to RTI enquiries. This may result in a delay in responses and lower the RTI system's effectiveness. The people responsible for responding to RTI requests can be understaffed or not properly trained. Inadequate human resources might lead to ineffective request response times. Inadequate Infrastructure: It can be challenging to arrange and retrieve information in response to RTI requests when government agencies lack appropriate information management systems. Information dissemination and retrieval may be hampered by the absence of digital record-keeping and information systems, which makes it more challenging to promptly handle RTI requests.

Issues of security and privacy: Public entities may be prevented from releasing some kinds of information through the RTI process due to security and privacy concerns. Finding a balance between the rights to privacy and information is still challenging. Despite its significant contribution, RTI faces several challenges:

Retaliation and Harassment: People who file RTI requests may experience retaliation or harassment, especially if the information they are requesting concerns sensitive subjects or powerful individuals. People may be deterred from using RTI because they are worried about the possible consequences.

Political Interference: Information disclosure or concealment under RTI may be impacted by political pressure. Suppression of politically sensitive content may be done to safeguard certain interests.

Exemption Misuse: Public Information Officers (PIOs) frequently invoke Section 8(1)(j) to deny information, even when public interest is involved.

Misuse by Applicants: The CIC has noted a trend where disgruntled employees or individuals with personal vendettas file massive volumes of RTIs to harass officials, sometimes leading to the dismissal of their cases, such as in *Brij Krishan Sharma v. Ministry of Labour & Employment* (2025)

Apart from these Delays in providing information, Misuse of RTI for personal or frivolous purposes, Backlog of cases in Information Commissions, Weak infrastructure and inadequate staffing of Information Commissions also hamper the effective implementation of the Act. It will require ongoing efforts to overcome these issues and barriers to RTI's full potential. This entails increasing knowledge and instruction, bolstering accountability and transparency in the bureaucracy, allocating sufficient funds, and filling up infrastructure and technological shortcomings. In order to strike a balance between openness and privacy and security concerns, it is also crucial to enact and enforce laws that safeguard whistle blowers and make sure that exemptions are utilized rarely.

To strengthen the role of RTI in promoting good governance, the following measures are necessary:

- Increasing public awareness and education about RTI
- Strengthening Information Commissions
- Ensuring protection for RTI activists
- Digitization of records and proactive disclosure
- Training of public officials
- The use of technology and e-governance can further enhance transparency and accessibility of information.etc

These are necessary measures to strengthen RTI in order to promoting good governance in India.

Conclusion

The Right to Information Act, 2005, is one of the most significant governance reforms in independent India. It has transformed the relationship between citizens and the state by promoting transparency, accountability, participation, and rule of law. RTI has empowered citizens, reduced corruption, improved administrative efficiency, and strengthened democratic governance. While challenges remain in its implementation, apart from the challenges the RTI Act continues to be a vital instrument for ensuring good governance in India. Strengthening and protecting this law is essential for deepening democracy and achieving inclusive and accountable governance.



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