Tamil Nadu to introduce online application for RTI

Part of: GS-II- Governance (PT-MAINS-PERSONALITY TEST)

Applications seeking documents under the Right to Information (RTI) Act can now be filed online in Tamil Nadu. A Government Order issued by Department of Personnel and Administrative Reforms, said the facility of online filing of petitions under Section 6(1) and First Appeals under Section 19(1) of RTI Act will be rolled out. This will be done using the software available with the National Informatics Centre (NIC) and after making necessary changes to make it suitable for the needs of the State. The government also decided to accept online payment pending amendment to the Tamil Nadu RTI (Fees) Rules and to engage the State Bank of India to act as a merchant banker for providing payment gateway.

So far, applications under the RTI Act, are submitted in the State only through typed or handwritten applications. Karnataka, Maharashtra, Meghalaya, Odisha and Uttar Pradesh and Delhi already allowed online applications.

Importance of RTI Act:

Right to information opens up government’s records to public scrutiny, thereby arming citizens with a vital tool to inform them about what the government does and how effectively, thus making the government more accountable.

The RTI Act, 2005 did not create a new bureaucracy for implementing the law. Instead, it tasked and mandated officials in every office to change their attitude and duty from one of secrecy to one of sharing and openness.

It carefully and deliberately empowered the Information Commission to be the highest authority in the country with the mandate to order any office in the country to provide information as per the provisions of the Act. And it empowered the Commission to fine any official who did not follow the mandate.

Section 4 of the RTI Act:

Section 4 of the RTI Act requires suo motu disclosure of information by each public authority. However, such disclosures have remained less than satisfactory.

Section 4(2) of the RTI Act:

Section 4(2) of the RTI Act mandates Governments to maintain computerized records and provide information suo motu (on their own accord) to the public, so that there is minimal need for filing RTI applications.

But in reality, the Governments are not keeping as much information as possible in the public domain on their own accord (suo motu).

As per a recent NGO study of the Central Information Commission in 2018, 70% of the original RTI applications are not required, provided the Government suo motu publishes the information in the public domain.
Persistent vacancies in State and Central Information Commissions is another problem.

The Supreme Court allowed the request and asked the Centre and States to expedite filling up of the vacancies. Not filling up vacancies on time has led to piling up of backlogs.

Section 6(2) of RTI Act: File RTI only if you are connected with the issue:

An applicant making request for information shall not be required to give any reason for requesting the information.

If the locus standi (one can only approach the public authority with a query, when he/she is affected) of applicants is made a criteria, the rejection rate, which has steadily declined over time, will rise significantly.

The clause is kept because seeking locus standi in order to respond to public requests could result in a chilling effect (inhibition and discouragement of legitimate exercise), as public authorities could choose to deny information to general citizens on subjective grounds.

Disclose of data in public: A lifeline called Jan Soochna:

The government of Rajasthan had launched Jan Soochna Portal (JSP), which is in concurrence with the spirit of Right to Information Act (RTI). This virtually makes JSP a Janta Information System.

JSP envisages public disclosure of data, which is the furtherance of civil society reforms initiated by the RTI, making it in synergy with good governance.

The portal aims to provide information to the public about government authorities and departments empowering them with access to useful information.

JSP integrates data regarding the employment guarantee programme, sanitation, the public distribution system among others, by not only explaining the schemes but also providing real-time information on beneficiaries, authorities in charge, progress, etc.

Conclusion:

Transparency must be accompanied by accountability, and that is where the JSP has great value and significance since it places the power of making the State government accountable to everyone who accesses the information made available on the portal.

The Right to Information Act’s role in fostering a more informed citizenry and an accountable government has never been in doubt ever since its implementation in 2005.

JSP a milestone in increasing transparency and accountability in governance.

Rather than focusing on locus standi, public authorities would be advised to provide for greater voluntary dissemination on Government portals. Government should also take steps for filling up various vacancies.