

CHAPTER – V

CONCLUSION AND SUGGESTIONS

In a democracy like India such an act is essential because it gives power to the people. Power cannot be a monopoly of a select few. The act has endowed the people with the power as envisaged in the Preamble of the Constitution that ‘we, the People of Indiagives ourselves....’ pertain to the State governance. Power belongs to the people and the information is power. It has to be diffused. Therefore the information has to go to the people. The people do not find themselves enough powerful as envisaged in the constitution, if they don’t have the information required in exercising their rights. In other words, information is also a power. Therefore, it must be available and must reach everyone. Everyone should have right to get it like political equity is extended to every citizen by the universal adult franchise system. Hence, this Act has strengthened the democratic spirit in the country as it empowers the people to be informed of the affairs of the State. It is fact that uninformed people and open democracy cannot coexist (Abid Hussain). There is no use to have a popular democracy if population is not informed about what, why and how state is performing for the welfare of its citizens. It is also found that if people are not informed then there is an opportunity for the state to exercise its power in an undesired manner. Thus right to information is essential for democratic governance.

But the RTI Act alone is unable to instill the democratic values in administrative functioning because majority of people are unaware of their democratic rights. Education is an instrument which is capable of teaching the people regarding their democratic rights and values. Till now new concept of good governance, e-governance, citizen character and civil society etc, have been brought in the society at the expected level just due to potential of education.

Therefore keeping in view the significance of the RTI Act 2005 in the dispensation of Secondary Education, the present study was carried out in the state of Haryana, with the following objectives:-

1. To find out the institutional arrangement made by for implementation of Right to Information in the Department of Secondary Education.
2. To examine the level of preparation of the department to disseminate information.
3. To study the awareness level of the official and teachers about RTI Act, 2005.
4. To know about the trend of information sought by the consumer.
5. To study the administrative and procedure problems in the implementation of RTI Act.
6. To access the prospect of RTI in delivering the service to the masses.
7. To suggest various measures for ensuring more transparency in the functioning of the Department of Secondary Education.

Hypotheses

3. The institutional set up to Implement Right to Information Act, 2005 in the department is not up to the required level.
2. It is assumed that the department does not have adequate Infrastructure and technical support for disseminating information under RTI Act, 2005.
3. It is assumed that the user is aware of the act but not enthusiastic to seek information under the act.
4. It is assumed that there are administrative and procedural complexities mainly arising out of behavioural attitude of the officials responsible for the implementation of the RTI Act, 2005.

5. It is assumed that the RTI Act, 2005 will lead in ensuring transparency and reducing corruption in the working of the department.

Findings of the study

- The present institutional set-up under the RTI Act has not been functioning up to the expected level. 72.75 percent respondents ratified this statement. Out of total samples of the officials, 52 percent data also stated in favour of above statement.
- The special cell has not been established in district where study has been done. Still general branch of the district education officer at district level is bearing the burden of the institution. 88 percent officials ratified the above statement. And due to that official of the department in various districts feels it additional burden 86 percent respondents stated in favour of above statement.
- Inadequacy of institutional arrangements is also hindering the efficiency of the department because simultaneously officials have to deal with the general function also, which reduces the efficiency of the department. 91 percent officials ratified the above statement.
- The Department of Secondary Education, Haryana has not been given special financial assistance for the RTI related activities. 78 percent officials have confirmed this statement.
- In the department, behaviour of officials towards information seekers is non-cooperative, which creates negativity among common masses towards officials. Out of total sample data from respondents' beneficiaries, 52 percent of respondents ratified the above statement.

- Another major finding is that people perceive 30 days stipulated time period for furnishing information is very long. It should be decreased. 55.75 percent of respondents confirm the above statement.
- Simultaneously, sample data of respondents stated that accountability of employees has increased. Out of total sample of respondents, 97.25 percent ratified the above statement. 94.25 percent respondents said that transparency level of the department has increased after implementation of the RTI Act.
- The RTI Act, 2005 put down the level of corruption in the administrative system. 80.25 percent of respondents' favored the above statement.
- In the recent global scenario information and communication technology (ICT) is the essential requirement for rapid administrative system but it is drawback of the department that department is not fully digitalized. It is still working on manual filing system. 55 percent of officials ratified this statement.
- It is good sign of administrative development that department has its own website. While applying for THE RTI people can easily know about the provision of the act through department website. 100 percent officials stated in its favor.
- In the department, information is furnished on documentation form. There is no provision of supplying information through online made. 100 percent officials ratified the above statement.
- The RTI Act has been made to fight corruption. In fact, it is working effectively and competent to fight against corruption. Although, it has some flaws according to perception of the respondents but then it is achieving its desired ends. 76 percent officials ratified this point.

- The officials of the department showed the successful face of the RTI Act. They stated that the RTI has made the department more people friendly, 65 percent of officials responded in its regard.
- Training is basic demand in administration. It is improving awareness of the officials in various fields i.e. behavioural, technological, legal, and constitutional and the related service rules etc. The Department of Secondary Education has been giving the training to their employees as per their requirement. The officials of the department have given the training to effectively implement the RTI Act. Out of total sample of officials, 67 percent ratified this statement. In fact, it is a good sign for common masses and the government that department is striving for the successful implementation of the RTI Act.
- The record management is progressive approach for any department or institution. The Department of secondary Education is one of them, 72 percent of officials are aware of record management system.
- People are utilizing the RTI Act but they are not enthusiastic towards it because of unavailability of infrastructure or other reasons. Out of total sample of officials, 8% did not respond and remaining 58% were neutral. It means they are using THE RTI Act but not enthusiastic for the RTI Act in the department.
- The department of secondary education is promoting The RTI Act through various methods i.e. Newspapers, pamphlets, Awareness programmes and electronic media, the entire officials respondent positively in this regard.
- 400 respondents obtained information from the department, out of which 85.5 percent of respondents have complete knowledge of the RTI Act. It is a good sign of awareness among people for the RTI Act.

- The respondents have obtained information for different purpose i.e. admission, recruitment, attendance, scholarship and another purpose. 46.5 percent of respondents out of total sample obtained information for recruitment purpose. It shows that employment is priority for common man.
- Out of 400 samples of respondents, 65 percent stated that they did not obtain information within stipulated time period. 72.5 percent of respondents did not satisfy from the information furnished by the department. In fact, it reflects that at the first attempt people do not obtain information. Further they have to appeal before 1st first appellate authority and then 2nd appellate authority.
- Although, people are obtaining information as per their requirement but most of the people does not disclose their identity. In fact they feel unsafe while obtaining information. Therefore, they keep it secret. 74.75 percent of respondents ratified this statement. Majority of respondent stated that stipulated time period for supplying information is not adequate. It should be decreased because when they get information it becomes useless, 55.75 percent respondents stated in this regard.
- Information seekers also create problem while obtaining information. When the department demand more money for extra information either they refuse to pay or do not come back for obtaining information. It is wastage of time and human resource of the department. Directly or indirectly 73 percent officials ratified this statement.
- Most of the people has not been using prescribed format for obtaining information. 87 percent of officials ratified this assertion. Although using prescribed format is not so important for successful implementation of the RTI Act and for the study as well, but it helps for officials in furnishing

information. Because format makes everything clear for example, subject of information, department and address etc. Therefore it should be used.

District wise Comparison

- It can be concluded that print media holds the first place in spreading awareness followed by social contacts like family and friends, television programmes, radio broadcast and at last internet.
- In Bhiwani, the maximum of 75 percent respondents have disagreed on the issue of using the prescribed format for filing RTI. The district of Faridabad is least in the category of disagreed with 69 per cent respondents.
- The district wise investigation shows that majority of people in all the districts have admitted of facing various problems while accessing information under RTI Act. Bhiwani is the district where least number of people (29 percent) faced no problem in accessing information under the RTI Act, whereas maximum respondents in this category belong to the district of Faridabad.
- The behavior scenario is found better in the district of Sonipat, where respondents facing cooperative behavior surpassed the respondents facing non cooperative behavior. Otherwise, conclusions are indicating worse behavioural scenario in other districts of Bhiwani, Faridabad and kurukshetra, where more than half of respondents were indicating worse behavioral on the officials' part.
- The district wise analysis shows that majority of people in all the districts have admitted of not getting information within the stipulated time limit while accessing information under RTI Act. Sonipat is the district where least number of people (16 percent) got information in the stipulated time period as

envisaged in the RTI Act, whereas maximum respondents in this category belong to the district of Bhiwani.

- All the four districts majority of respondents have disagreed on the issue of satisfaction from the furnished information. In Sonipat, the maximum of 75 percent respondents have disagreed on the issue of satisfaction from the furnished information. The district of Bhiwani is least in the category of disagreed with 70 per cent respondents.
- All the districts have admitted of applying to the first appellate authority. The point to be noted is that the total number of respondents studied under this issue are 290, as these people belong to the category of disagreed on the issue of satisfaction from the furnished information. Faridabad is the district where least number of people admitted of applying to the first appellate authority as envisaged in the RTI Act, whereas maximum respondents in this category belong to the district of Bhiwani.
- All the four districts faced the cooperative behavior of the officials while accessing information from the First Appellate Authority under the RTI Act. The behavior scenario is found best in the district of Bhiwani, where respondents facing cooperative behavior surpassed the respondents facing non cooperative behavior with the highest margin. The conclusions are indicating the similar results in other districts of Faridabad and Kurukshetra also, whereas, the least encouraging scenario is presented in the district of Sonipat.
- The issues of satisfaction from the information furnished by the First Appellate Authority in Bhiwani and Kurukshetra, the maximum of 60 percent respondents have disagreed on the issue of satisfaction from the information furnished by the First Appellate Authority. The district of Faridabad is least in the category of disagreed with 52.4 per cent respondents.

- All the districts have admitted of applying to the Second Appellate Authority. The point to be noted is that the total number of respondents studied under this issue are 150, as these people belong to the category of disagreed on the issue of satisfaction from the furnished information by the First Appellate Authority. Bhiwani is the district where least number of people admitted of applying to the Second Appellate Authority as envisaged in the RTI Act, whereas maximum respondents in this category belong to the district of Kurukshetra.
- In Kurukshetra, the maximum of 86.8 percent respondents have agreed on the issue of satisfaction from the information furnished by the Second Appellate Authority. The district of Faridabad is least in the category of agreed with 76.6 per cent respondents.
- A scenario where State Public Information Commission is not found to penalize the SPIOs in case exceeding the time limit as well as not furnishing the satisfactory information. Among the four districts under the study, best performance is exhibited by the district of Faridabad, where 36.5 percent respondents agreeing on the issue of imposing penalty on the SPIOs by the State Public Information Commission in case of failure in carrying out there duty.
- The issue of type of penalty imposed on the erring officials shows that monetary penalty is imposed in the district of Kurukshetra, where 46 per cent penalties are in monetary form. The ratio of disciplinary penalty is found greater in the districts of Sonipat and Faridabad. Both kinds of penalties are also imposed on the few, whose share is highest in the district of Kurukshetra (more than 30 per cent)

- The issue of usefulness of the RTI Act, In Kurukshetra, the maximum of 77 percent respondents have agreed on the issue of Usefulness of the RTI Act, followed by Bhiwani (74 per cent), Sonipat (73 per cent) and Faridabad (70 per cent).
- The issues of accountability of employer in furnishing the desired information in Kurukshetra, the maximum of 100 percent respondents have agreed on the issue of accountability of employer followed by Bhiwani (97 per cent), Sonipat (96 per cent) and Faridabad (96 per cent).
- In all the four districts majority of respondents have agreed on the issue of usefulness of the RTI Act in bringing down the corruption level in the department. In Bhiwani, the maximum of 83 percent respondents have agreed on the issue of Usefulness of the RTI Act in bringing down corruption, followed by Sonipat (81 per cent), Kurukshetra (80 per cent) and Faridabad (77 per cent).
- In all the districts except Faridabad, majority of respondents have agreed on the insufficiency of stipulated time limit to furnish the information under the RTI Act provisions. They have found the stipulated time limit too long and frustrating, In Faridabad, the majority of 53 percent respondents have agreed on the issue of sufficiency of stipulated time limit to furnish the information under the RTI Act. They perceive the stipulated time period as satisfactory and fruitful.
- On the issue of the adequacy of institutional arrangements for accessing the RTI Act, In Faridabad, the maximum of 80 percent respondents have agreed on the issue of inadequacy of institutional arrangements for accessing the RTI Act, followed by Kurukshetra (77 per cent), Bhiwani (72 per cent) and Sonipat (62 per cent).

- On the issue of setting up the RTI Act infrastructure at the local level shows that in all the four districts majority of respondents have agreed on this issue. In Bhiwani, the maximum of 88 percent respondents have agreed on the need to establish the RTI Act infrastructure at the local level, followed by Kurukshetra (83 per cent), Sonipat (81 per cent) and Faridabad (79 per cent).
- On the issue of level of knowledge of the RTI Act provision among officials reveals a mixed picture with maximum respondents with complete knowledge regarding RTI Act provisions prevailing in Bhiwani (68 per cent) followed by Kurukshetra (60 per cent), Sonipat (52 per cent) and Faridabad (48 per cent).
- In all the four districts majority of official respondents have attained knowledge from the trainings imparted in the department and rest of the majority has sought the knowledge from the departmental colleagues. In Faridabad, the maximum of 52 percent respondents have sought knowledge about RTI Act from training, followed by Kurukshetra (48 per cent), Sonipat (48 per cent) and Bhiwani (36 per cent).
- In all the four districts majority of official respondents have agreed on attending such training programmes. In Bhiwani, the maximum of 76 percent respondents have agreed to have attended such training programmes, followed by Kurukshetra (68 per cent), Sonipat (68 per cent) and Faridabad (64 per cent).
- On the issue of the adequacy of institutional arrangements for accessing the RTI Act, In Kurukshetra, 48 percent respondents have agreed on the issue of inadequacy of institutional arrangements for accessing the RTI Act where as other 48 per cent have disagreed on the issue of inadequacy of institutional arrangements. The most adverse response has been traced in the district of

Sonipat, where 52 percent officials pointed towards inadequate infrastructure and other 44 per cent indicated institutional adequacy.

- On the issue of establishing special cell for better implementation of the RTI Act shows that in all the four districts majority of official respondents have disagreed on the presence of such special cells in the department. In Bhiwani and Sonipat, the maximum of 92 percent respondents have revealed that there is no special cell in the department, followed by Kurukshetra (88 per cent) and Faridabad (80 per cent).
- RTI Act is hindering the efficiency of the department. In Bhiwani, the maximum of 100 percent respondents have agreed on this viewpoint followed by Sonipat (92 per cent), Kurukshetra (88 per cent) and Faridabad (64 per cent).
- RTI Act is proving a additional burden on the departmental functioning and is adversely affecting its efficiency. In Bhiwani, Sonipat and Faridabad, the maximum of 92 percent of their official respondents have agreed on this point followed by Kurukshetra (88 per cent).
- In all the four districts majority of official respondents have disagreed that they are not using any kind of software for faster processing of RTI requests. In Sonipat, the maximum of 100 percent of their official respondents have disagreed on this point followed by Kurukshetra (80 per cent) Faridabad (76 per cent) and Bhiwani (68 per cent).
- In all the four districts, 100 per cent official respondents have agreed that they use documentation format for disseminating information under RTI Act.
- In all the four districts majority of official respondents have agreed that they have not digitalized the

department. In Sonipat, the maximum of 72 percent of their official respondents have agreed on using manual filing system followed by Kurukshetra (56 per cent), Bhiwani (52 per cent) and Faridabad (40 per cent).

- In the entire four districts, officials accepted the existence of departmental website for the better access of department related activities.
- Officials accepted the availability of PIOs and appellate authorities on the departmental website for the better implementation of RTI related activities.
- In the district of Bhiwani, 40 per cent respondents agree that there was enthusiasm among people towards RTI Act followed by Bhiwani (36 per cent), Kurukshetra (32 percent) and Faridabad (28 per cent).
- Almost all the districts have agreed on the competency of RTI Act in fighting corruption with maximum respondents in Sonipat (72 per cent) followed by other three districts with each having 64 percent respondents agreeing on the point.
- For promotion of RTI Act is similar across all the districts with more than 80 per cent official respondents claiming to be using electronic media in their respective districts.
- Study on the issue of constraints in effective implementation of RTI Act shows that majority of the officials responded positively on this issue in the entire four districts. They accepted that there are constraints in effective implementation of RTI Act and only a few have claimed that the RTI Act is being implemented smoothly without hassle.

For the effective implementation of the RTI Act following suggestions are given:

- There is an urgent need of making appropriate arrangements for dissemination of knowledge and information pertaining to different facts of right to

information. It would be possible if both the governmental and non-governmental agencies join hands and chalk out a programme of making the general masses fully aware of the provisions made in the RTI Act, for the purpose of making the people fully aware, seminars, workshops, special lecture and talk should be arranged from time to time regular assessment of the impact through monitoring would prove more useful.

- To make the RTI Act, 2005 more popular among the citizens, it suggested that literature on the RTI should be developed in local language and translated in simple and easily understandable language. The same should be made available to them free of cost.
- It is suggested that the subject matter pertaining to the RTI should be included in the syllabi of secondary, senior secondary and graduate classes so that the student should have adequate knowledge thereof and use it for own interests.
- It is suggested the government should be organized drama and natak at school level to make aware the more and more students.
- It has been observed that common masses face a number of problems in getting the information well in time, therefore, it is suggested that the public authorities who are reluctant in providing the information, should change their mind set and must understand that they are accountable. They should create conducive atmosphere in which they have to be more cooperative to those who seek the requisite information. This would require training and retraining to be arranged by the specialized agencies it should be mandatory for each officials dealing with the RTI cases. Special training modules focus a different aspects of the RTI it should be compulsory for the officials to under to undergo such a training twice a year.

- The activists are provided information within specified time and those who are somewhat lethargic or innocent are bypassed the best solution to the problem is that there should not be any discrimination on the ground whether somebody is innocent or activist. Strict adherence to the time schedule should be ensured. The information providers should always be positive and understand the need and relevance of information sought in the best interest of the society. Those officials, who are really sincere, dedicated and helpful, their service should be recognized and they should be suitably rewarded.
- Majority of the RTI applicants are hesitant of going for filing 2nd appeal to get the required information. It is because of location of office of state information commissioner is far away from the place of THE RTI applicants. It is truer in the case of those groveling in poverty. The state government can find solution to the problem by establishing regional offices of SIC in the state. It will definitely provide relief to the needy persons. Moreover, it will also save money, time energy of the information seekers.
- The framers of the Act have not made any provisions for competent additional staff to deal with the RTI cases. In almost every government department, there is shortage of staff to handle the routine work of the concerned public authority with the addition of the RTI work every staff member has been overburdened. In view of the extra burden due to the RTI information, the need of staff should be properly assessed and if need be additional staff should be provided to avoid frustration among the overburdened staff.
- The Act does not speak about financial requirement of the public authorities. Consequently, no provision of funds has been made in the budgets of various government departments. It has been noted that additional funds have not been

provided. In view of this, the governments should consider providing of required funds for the successful implementation of the RTI Act.

- There is lack of maintenance of proper record on the part of the officials. This causes problem in frequent supply of demanded information. The public authorities must take necessary steps to get the record maintained in a systematic manner as per requirement of the Act. It should be ensured that there will be speedy disposal of applicant of the information seekers.
- In the era of information technology, it is expected that each department should have computerized information ready for making it available on demand. Therefore, it is suggested that electronic device should be used in updating the information and other records. They are more economical and speedy.
- The time period to supply information is too long. It should be decreased because stipulated time period for PIO is 30 days, 1st first appellate authority 60 days and in case of 2nd appellate authority, it is 90 days. In fact these provisions are so long. Sometime of these information becomes useless or purpose less and information seekers become negative towards the RTI Act. Therefore, to make the RTI Act more goals oriented and people friendly expert should be considered these issues.
- In the study, it was found that majority of information seekers have not been using prescribed format. Most of beneficiaries responded in this regard that they have not been using this format because of language problem, unavailability of prescribed format and unavailability of internet facilities etc. therefore to make more user friendly pre-printed application forms should be available in all local languages in the department at various level.

- The Right to information training programmes should be conducted for the government officials. They should not treat clients and people with suspicion. It is a part of their job to help and inform the public. The functioning of the Act depends much on the co-operation of the officials. It is not enough that there is an Act. It should be respected by both the parties, officials and the public.
- The Act requires certain modifications and amendments for which it is suggested that the government should appoint an expert committee to look into the provisions which need modifications and suggest suitable measures to make the RTI Act, 2005 more effective and result oriented. Based on the recommendations, necessary amendments should be made.
- If the measures suggested are adopted and implemented with strong political and administrative will, tangible benefits can be enjoyed and the basic objective of the act may be achieved.
- A fundamental change in attitude is necessary within the bureaucracy to enable it to comply with the act in letter and in spirit. It is the responsibility of the respective governments to inculcate in the bureaucracy a respect for citizen's right and to give up the cloak of secrecy and opaqueness that its functioning is characterized by.
- As a part of administrative reform, the governments have initiated the process of computerization in many of its institutions. RTI Act mandates the obligations of the government in regard to scientific management of all official records. The government must set apart the adequate funds to accelerate the adoption of computerized management information system by all public authorities down to the district and village level. The programme of computerization must be made time bound for the success of information

delivery under RTI Act. The law should contain provisions for setting up specific systems for storing and disseminating information and upgrading the existing system for enabling easy access. There must be specific provisions for priority wise computerization etc of government offices. The law must also contain a specific allocation of funds for the purpose of operationalising the right to information. Without this, the law will be a dead letter and will have no effect.

- All state governments must undertake, through all forms of mass media, an extensive public awareness programme to educate the people about their right to information. RTI Act 2005 must be publicized in all official state languages and made freely and widely available on internet and in print form. Sufficient funds should be allocated by the state government for the media campaign. The state governments would do well to study the arrangements undertaken by other governments and also by independent professional bodies engaged in the task of promotion of public awareness about right to information. Educational institutions should introduce awareness to the RTI Act by inclusion of right to information in the curriculum.
- Suvidha Centres currently functioning in all districts and at many sub-divisional towns in some states like Punjab provide a number of convenient facilities for the common public. It is recommended that without incurring additional cost Suvidha Centre should install a window where any request for information relating to field level public authorities can be accepted. Under section 6(3), the deputy commissioner or district collector concerned should subordinate the disposal of such request received at the RTI counter in every Suvidha Centre for providing convenience to the public should be established in all states.

- There is alleged victimization of information seekers by those whose illegal activities are exposed due to the disclosure of such information as details of disbursement of foodgrains under Public Distribution System, muster rolls of rural employment, registered beneficiaries of LPG and other public action relating to contractor. In some such cases, it may become necessary to provide police protection to the affected persons. All the nodal departments at the centre and in the states that are responsible for implementation of RTI Act should issue necessary direction to public authorities concerned and public organization to initiate appropriate action in such cases.
- The district collector normally records the annual confidential reports of various district level functionaries particularly with reference to their dealings with the public, redressal of grievances and performance with regard to developmental activities. It is suggested that a column in the annual confidential report in respect of the SPIO as well as the First Appellate Authority at the district level should include performance with regard to implementation of RTI Act and the collector of the district will have to give his assessment of the officer in this regard based on the performance, review of the district level monitoring cell. It should also be ensured that the head of the department at the state level shall take due note of the performance of the SPIO/First Appellate Authority with regard to the RTI Act based on the assessment of the collector of the district. This will ensure that performance under the RTI Act will be an important ingredient of the Annual Confidential Report of the officer and the SPIO/First Appellate Authority will be taking their responsibilities under the RTI Act more seriously in future.

The aforesaid analysis vindicates the point that the institutional setup for implementation of the Right to Information Act, 2005 in the department of Secondary

education is not up to the required level; it lacks the technical support which leads to the administrative and procedural complexities mainly arising out of the behavioural attitudes of the officials. But still the Right to Information Act, 2005 also provides a ray of hope to the common masses in providing a corruption free administration ensuring transparency, accountability and effectiveness in the Secondary Education Department of Haryana in particular and to the administrative practices in whole India in general, in case it is implemented in its true spirit.