

Promoting e-Governance through Right to Information: A Case-study of India

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Abstract – Reinventing government has been a dominant theme since 1990s, wherein governments world over are attempting to improve the systems of public service delivery. Rapid strides made in the field of Information and Communication Technology (ICT) have facilitated the reinvention of governments and prepared them to serve the needs of a diverse society. In other words, the information age has redefined the fundamentals and transformed the institutions and mechanisms of service delivery forever. The vision is articulation of a desire to transform the way the government functions and the way it relates to its constituents. The concept of electronic governance, popularly called e-governance is derived from this concern.

The Right to Information (RTI), which gave the citizens of India access to records of the central government and state governments, was thought to be one of the most revolutionary pieces of legislation in modern India which can make India one of the most advanced democracies. Because this Act has given people the right to actually participate in governance, which is the essence of what we call inclusive growth. Armed with RTI, common citizens were empowered to know whatever they deemed worth knowing. RTI and e-governance are twins and are inseparable. e-governance will never be complete unless the RTI Act is fully implemented, neither will RTI work if there isn't a full fledged system of computerization and administration. It is vital and basic, without it the Act will not be able to work because the load will become so heavy on the Public Information Officers, on the state authorities, and the central commission that it will become impossible to function. The mechanism developed for the implementation of Right to Information (RTI) Act should be built into the e-governance scheme. e-Governance in unison with the RTI Act can go a long way in realizing this objective. This Paper tries to contrast on some successful initiatives that can lead to an effective RTI regime through e-Governance. Also, the paper tries to point out some successful schemes initiated by Government of India for the successful implementation of e-governance schemes.

Index Terms: e-Government, Public Information Kiosks, ICT, Right to Information Act.

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1. INTRODUCTION

The essence of good governance is based on the premise that the laws and procedures are transparent, clearly defined & understood by those governed and the implementation is both quick and smooth. To this effect, the governance in a developing country is a challenge, because a majority of the governed (citizens) are educationally & socio-economically challenged. More so, in developing countries, where the governments are formed through democratic means, the challenge of governance is much larger as the governors themselves are at times not very clear on various rules and procedures.

Further, at times, the rules and procedures, though explicitly defined in the constitution or statutes, by themselves become hindrances in the path of governance due to lack of transparency and procedural clarities.

Hence, the solution to the foresaid lies in providing a mechanism that is quick, interactive and provides a clear

repository of rules and regulations, which extends help in decision making for both the governors and the governed. The mechanism can be easily defined as e- governance, that has the benefit of providing clear cut, transparent, interactive, easy to implement and just solutions (in dynamic mode) in the quickest possible time frame.

The Governors (policy & decision makers) need to be made aware on possibilities that are presented now with the advancement of Information & Communication Technologies (ICT) that can collect, collate and analyze data from various sources among different sectors to view the economy holistically and support decision making processes in a transparent way.

2. ELECTRONIC GOVERNANCE: A BRIEF CONCEPT

The World Bank defines e-governance as the “use of information and communication technologies by

government agencies to transform relations with citizens, business world and other arms of the government." The term e-governance involves the computerisation and networking of all government departments and linking each district with the State headquarters. The objective of e-governance in India goes beyond mere computerisation of government offices. It fundamentally means changing the way the government operates and implies a new set of responsibilities for civil servants, business world and the public.

e-Governance refers to the use by government agencies of Information Technologies (such as Wide Area Networks, the Internet and mobile computing) that have the ability to transform relations with citizens, businesses, and various arms of government resulting in better delivery of government services to citizens, improved interactions with business and industry, citizen empowerment through access to information, or more efficient government management. The resultant benefits are less corruption, increased transparency, greater convenience, revenue growth, and cost reductions.

e-government aims to make the interaction between government and citizens (G2C), government and business enterprises (G2B), and inter-agency relationships (G2G) more friendly, convenient, transparent, and inexpensive. [1]

The goals of e-Governance are:

- a. Better service delivery to citizens
- b. Ushering in transparency and accountability
- c. Empowering people through information
- d. Improved efficiency within Governments
- e. Improve interface with business and industry.

The aim of e-governance is to eliminate middlemen and corruption. Once people know that information could not be monopolised, they would demand access to it [2].

The beneficial concept of e-governance can be utilized for the following purposes:

- (1) To have access to public documents.
- (2) For making online payments of various bills and dues.
- (3) To file statutory documents online [3].
- (4) To file the complaints, grievances and suggestions of

citizens online.

(5) The online facility can be used to enter into a partnership the appropriate government in cases of government contracts.

(6) The citizens can use the online facility to file their income tax returns [4].

(7) The citizens will enjoy the facility of online services.

(8) The various departments of the government can be computerized and centralized and the responsibility for its proper maintenance can be fixed on an agency like National Informatics Centre.

As a first step, information about services is published on a web site and citizens can interact with the site to download application forms for a variety of services. The next stage involves the use of ICT in the actual delivery of service such as filing a tax return, renewing a license, etc. More sophisticated applications include processing on-line payments.

In developed countries, these services are offered in a self-service mode through Internet Portals that become a single point of interaction for the citizen to receive services from a large number of departments. In developing countries, on-line services counters may operate in a department offering services related only to that department. In more evolved models, citizen service centers have been created at convenient locations where citizens can access on-line services of several departments. These counters are operated by department/private operators, the citizens do not directly interact with computer screens. Collection of payment is often handled through conventional means. In addition to such service centers, citizens may also be able to access service delivery portals.

3. ICT-THE FOUNDATION FOR e-GOVERNANCE

Information and Communication Technology (ICT) has a critical role to play in development efforts around the world:

- Benefits of applying ICT in fighting poverty and promoting economic growth are widely understood.
- High-tech communication can be used to alleviate such dire challenges as starvation, homelessness, and lack of basic education and health services.

- ICT is an essential component of broader efforts to harness the free flow of information to increase voice, accountability, and economic development.
- Many countries are preparing and implementing national e-strategies that emphasize the ubiquity of connectivity as well as new applications in areas such as e- government and e-business.
- The Millennium Development Goals (MDGs), drawn from the United Nations Millennium Declaration and adopted in September 2000, have several specific targets involving ICT as a tool for reducing poverty.

4. WORLDWIDE BOOM IN e-GOVERNANCE

- e-Governance to e-Democracy:
Progress in Australia and New Zealand toward information-age democracy
- The emerging vision for e-Government in the EU is in developing a knowledge-based society and economy where governments are knowledge-based, user-centric, distributed and networked
- K-AGRINET launched Connect Now campaign in rural Philippines
- Microsoft is supporting Bahrain in furthering e-Government
- Oman's digital society initiative 'e-Oman' takes shape
- E-Passport project initiatives are worldwide taken
- Bulgaria allocates EUR 5 mn for e-Government projects.
- Thai S/W developers invited for e-Government projects
- Brunei e-Health project to take off soon
- E-Village launched in Jordan.
- UNDESA report ranks e-Government readiness in the Gulf at 50%

5. RIGHT TO INFORMATION ACT, 2005 Right to have access to information held by the

government. This information could be in the form of records, files, registers, maps, data, drawings, etc.

Right to Information not only means the citizens right to ask for information that they want it but also includes more importantly so the duty of public bodies to disclose information suo motu (on its own). This means that the government has a positive duty to give certain types of information without waiting to be asked for it. This would include information on issues concerning projects that directly affect the people or the environment, information on health, agriculture, weather conditions, or simply, information about the services provided or the functions performed by various public bodies.

The passing of the Right to Information Act has been welcomed from all quarters of the society as it is a significant step towards establishing a regime that guarantees citizens' right to know. In addition to providing the right to information to the citizens, the Act also establishes that the state must be equipped with adequate apparatus so that easy and inexpensive access to information is provided. Provisions of the Act that assign specific time limit for providing the information sought and serious penalties for non-compliance would go a long way in increasing transparency and accountability in the government departments.

5.1 RIGHT TO INFORMATION AND e-GOVERNANCE

RTI Act of India is considered as one of the most advanced RTI legislations in the world. However, Right to Information makes little sense if access to that information is limited only to literate, resourceful and computer savvy people. In this context, the RTI can be understood as having two facets from the perspective of the grassroots:

- Access to general information such as the information that governments and others make available, for example concerning entitlements and benefits;
- Access to specific information such as individual files, services or decisions made by officers.

e-governance can not only ensure "TAA" but can equally make Right to Information U/A 19(1)(a) and

Right to Know U/A 21 of the Constitution of India a meaningful reality. In this context the use of E-Governance for strengthening the RTI implementation is mutually beneficial. In fact the RTI act, is India's first law and perhaps the only law in the world that obligates governments to take up e-Governance as provided in Section 4 (1-a). Digitalisation of all government departments which is vital to strengthening e-Governance is quite important to address the information needs of the citizens.

The first phase of e-governance is marked by web presence of public institutions and dissemination of information. This will be facilitated by the Right to Information Act, 2005 (RTI) and this has been developed as a basic feature of all public services where type of service and service provider details are made available in a proactive manner. This information is also being integrated for citizen access through the National and State Portals which provide basic information on Government programmes and services. Web presence can range from basic and static information to access to databases, documents, policies etc with the aid of help features and site map. [5]

5.2 AMALGAMATION OF e-GOVERNANCE AND RTI

The right to impart and receive information is a species of the right to freedom of speech and expression guaranteed by Article 19(1) (a) of the Constitution of India. A citizen has a Fundamental Right to use the best means of imparting and receiving information. The State is not only under an obligation to respect the Fundamental Rights of the citizens, but also equally under an obligation to ensure conditions under which the Right can be meaningfully and effectively be enjoyed by one and all. Freedom of speech and expression is basic to and indivisible from a democratic polity. The right U/A 19(1) (a) is, however, available only to the citizens of India and non-citizens can claim only right to know U/A 21 of the Constitution of India. Recognizing the right to information (RTI) of "citizens" of India, the IT Act, 2000 and RTI Act, 2005 (RTIA) have been enacted.

The following provisions of the IT Act, 2000 reflect India's concern to bring transparency in the functioning of governmental affairs through e-governance:

- (a) Legal recognition of electronic records (Section 4),
- (b) Legal recognition of digital signature (Section 5),
- (c) Use of electronic records and digital signature in governmental dealings (Section 6),
- (d) Retention of electronic record for certain period. (Section 7),
- (e) Establishment of electronic gazette (section 8), However, these provisions provide only a non-absolute right to claim a sound e-governance base (section 9).

The RTIA, if implemented properly, could prove a boon for the e-governance initiative because the required information can be asked for and provided by using the e-governance base. The Act has a progressive approach and calls for implementation of ICT in order to efficiently store and disseminate information. It has been emphatically stated in the Act that, "All public authorities maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerized are, within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated."

The Act has an interesting variation as it asks for proactive disclosure of information from public authorities. The Act says that "it shall be a constant endeavour of every public authority...to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information."

This sort of arrangement will definitely help in establishing a better state-citizen relationship. It will further, result in bringing transparency in governmental functioning as the RTIA is providing right to citizens to ask for matters pertaining to governmental functioning. It is also recognising use of e-governance as a tool for efficient functioning of the Act and for giving strength to the benign drive of "whistleblowing".



5.3 ROLE OF ICT IN IMPLEMENTATION OF RIGHT TO INFORMATION ACT - 2005

The scope of ICT support would include:

- Setting up of a specialized website (<http://rti.gov.in>) for centralized repository of proactive disclosure of documents of various Public Authorities under Central & State Governments.
- Development of Portal Service for uploading of the documents by the concerned Public Authorities.
- Directory Service of Public Authorities, Public Information Officers, Appellate Authorities, Chief Information Commissions etc.
- User friendly mechanism for search and access of information by citizens round the clock.
- Work flow application for on-line submission of requests for information/ appeals/ complaints and their follow-up
- Workflow application for Monitoring of status of requests, appeals, complaints etc.
- Repository of the requests that have already been answered in a way that is searchable by the citizens. [7]

6. INITIATIVES FOR IMPLEMENTATION OF RTI THROUGH USE OF e-GOVERNANCE

The strategy for implementing the RTI can be through use of e-Governance. The ultimate objective of the initiatives would be to improve the information regime and information retrieval system and also to reorganise the information available for easier access to citizens. [8]

In addition to the full implementation of RTI Act following initiatives can be taken:

6.1 Right to Information Centre

The RTI Act puts a number of obligations on the public authorities implementing this Act. In accordance with section 4 (1a), all records should be duly catalogued and indexed in a manner and form which facilitates RTI. Some efforts can be taken as open shelf system, modernisation of office infrastructure making it more citizens friendly. All records appropriate to be computerised should be computerised. All branches of offices should be interconnected. Significantly, proactive display of critical information at the cutting edge of administration should be done in accordance with section 4 (1b) of RTI Act. Computerised display boards should be put for all tasks being performed.

It includes:

- Significant data relevant to that region: It will include brief data on the region, its administrative machinery, demography, land use, agriculture, forest, health, economic and other socio-economic infrastructure.
- Procedures for getting various kinds of licences: Documents required, officials concerned, conditionality and procedures, etc for making various kinds of licenses.
- Check list for registration and transfer of vehicles: Formalities in a check list format for registration, transfer, hypothecation, alteration, passing, etc. Of various kinds of vehicles should be displayed.
- Schedule of fees for various works: Fee schedule and rates of taxes for various licences, registration of vehicles, arm licences, etc.
- Procedures for various kinds of certificates. Formalities for getting various kinds of certificates should be displayed.

- Identity Cards: Important information pertaining to elections and electoral photos identity cards.

6.2 Public Information Kiosk

A Public Information kiosk or PIK should be set in conjunction with the Right to Information centre for enabling people to exercise their RTI in a meaningful and transparent manner. Application forms for seeking information or for inspecting any records as per Rule 3 of RTI rules, 2006 should be made available through this Kiosk. Information and Inspection registers should be computerised as per Annexure I and II of RTI rules. Periodical rules of RTI from PIOs should also be computerized.

Within this kiosk, a computer should be installed and staff should be deployed to facilitate user interface. The public can visit the kiosk for obtaining information about any task performed. E-Pramana or computerised certificates facility should also be introduced to digitise certificates of various kinds issued through the offices. Interested users can get the requisite details of these documents and can check the authenticity of documents and certificates. This is of great use especially to check the malpractices. Integrated case filing and monitoring system of the E-Court should be linked to the Public Information Kiosk. [9]

7. Vision and prospects

In a billion plus population even if one RTI application is filed per thousand households (a household being presumed to be consisting of five citizens) the number of applications comes to be more than 200,000. Imagine the wasteful-man-hours saved by tapping the word-processing/scanning/photocopying done by so many applicants into the workflow of a practical regime of Right to Information thus envisioned:[10]

Our 'Vision' and 'mission' will get accomplished once:

- Every Village panchayat will get one commercially viable one Public Call Office (PCO) converted into an RTI savy Cyber cafe (RCC) with an NGO to hold hand.

- A citizen knows which PCO to call/visit to file his RTI application the RTI fee either paid with the cost

of the call or with the user charge for using the PCO-cum-RCC.

- The status of an RTI application is only an SMS away.

- The voluntary as well as mandatory disclosure is comprehensive enough to make it possible for PCO-cum-RCC to cull out necessary information and supply without many needing to file an RTI application.

- The records of the public authorities are duly catalogued, indexed, computerised and connected through a network all over the country so that access to such records is facilitated.[11]

8. e-Government Initiatives in India: An Overview

The Government of India kick started the use of IT in the government in the right earnest by launching number of initiatives. First the Government approved the National E-Governance Action plan for implementation during the year 2003-2007. The plan was an attempt to lay the foundation and provide impetus for long-term growth of e-governance within the country. It proposed to create the right governance and institutional mechanisms at the center, state and local levels to provide a citizen centric and business centric environment for governance.

The following measures have also been introduced: [12]

- Adoption of "Information Technology (IT) Act, 2000 by the Government of India to provide legal framework to facilitate electronic transactions. The major aims of this act are to: recognize electronic contracts, prevent computer crimes, and make electronic filing possible. The Act came into force on 17 October, 2000;

- Establishment of the National Taskforce of Information Technology and Software Development in May 1998;

- Creation of Centre for e-governance to disseminate the best practices in the area of e-governance for the use by the Central and State Governments and act as a nodal center to provide

general information on e-governance, national and international initiatives, and IT policies of the government(s);

- Developing e-office solutions to enable various ministries and departments to do their work electronically. Modules such as Workflow for Drafts for Approvals, e-file, e notings, and submission of reports, integrated personal information and financial accounting systems have been developed;

- Setting up of a High Powered Committee (HPC) with Cabinet Secretary as its Chairman to improve administrative efficiency by using Information Technology in Government;

- Designating a Joint Secretary level officer as IT manager in every Ministry/ Department; and

- Instituting websites by almost all Ministries and Departments and providing information on aspects such as their objectives, policies and decisions, contact persons, etc. Some of them have started their electronic newsletter for giving publicity to their activities on wider scale; and identifying departments, which have frequent inter-face with the citizens, and computerizing them on priority basis.

Thus, it can be inferred from the above that a good beginning has been made to make e-government a reality in India, but still a lot needs to be done. Sincere efforts are required on sustained basis in future also to maintain the momentum.

9. e-Government Initiatives at the State Level

8.1 Project "Bhoomi" in the State of Karnataka, India

Karnataka, being an agrarian state, was facing the problem of maintaining immense land records and the work was done manually by the revenue officials. The duty of collection of records regarding the current ownership of land, cropping pattern and village maps etc. for three to four villages was assigned to 'Patwari', who was also entrusted with registering transfers of land due to sales or other reasons. He had to update the land records as per procedure, which could take years for obvious reasons.

The recently launched project 'Bhoomi' facilitated computerizations of entire 20 million records

of land ownership of 6.7 million farmers in the state of Karnataka. At present, computerized land record kiosk popularly called "Bhoomi Center" is functional in all the 177 talukas in the state. These kiosks are used to provide RTC on line to farmers at a fee of Rs. 15.

8.2 Project "Gyandoot" in the State of Madhya Pradesh

"Gyandoot" was launched on 1 January 2000, in poverty stricken, tribal-dominated rural areas of Madhya Pradesh after gathering information from the villagers regarding their problems. Lack of information about the rates of agricultural produce, difficulty in accessing information on land records; and absence of grievance redressal mechanism were their main problems. The Government selected villages, which function as block headquarters, or where weekly markets were held, or villages along the major roads, for establishing information kiosks equipped with computers connected through Internet. These information kiosks were run by rural educated youth having matriculation with working knowledge of computers. The services provided at these kiosks included:

(i) Supplying information regarding current rates of crops at the local and other auction centers in the country at a very nominal fee of Rs. 5;

(ii) All documents containing information of land records to be given on the spot at a fee of Rs. 15;

(iii) All applications with regard to domicile or income or caste certificates could be sent through e-mail at a cost of Rs. 10.

(iv) Complaints of poor quality of seeds/fertilizers, drinking water, functioning or nonfunctioning of schools or panchayats, village committees, etc could be lodged at a cost of Rs. 10;

(v) Auction facility for land, machinery, and any other durable commodities at a fee of Rs. 25 for three months; all information on government development programmes and grants on various development projects; and

(vi) Data regarding families below poverty lines. Some of these centers are also rendering miscellaneous services including online matrimonial

advertisements; Photostat STD, PCO and horoscope services.

'Gyandoot' is instrumental in establishing a link between government and the local population residing in the remote villages. It has also provided an opportunity to marginalized tribal citizens to have an access to knowledge at a little cost.

8.3 Project Smart Government in the State of Andhra Pradesh

The Government of Andhra Pradesh, in its endeavor to provide simple, moral, accountable, responsive and transparent governance to its people, launched 'SMART GOVERNMENT' (Smartgov) at the secretariat level. This project resulted in an automatic workflow in the secretariat and ensured not only internal efficiency but also provided an effective tool for performance evaluation. With it the leitmotif came to be efficacy. In Smartgov, on receipt of a document, it is scanned to generate a number for the file and is e-mailed to the concerned officer. The official notings are done electronically. The system being automatic enforces the desired checks and balances. It curtails negativism and over rides all hurdles of resistance and opposition to change.

The project Smartgov has helped in introducing paper less file processing system in the Andhra Pradesh secretariat. It has not only helped in reducing the time consumed in processing the files, but also significantly improved the quality of decisions besides curbing corruption.

8.4 Project Sustainable Access in Rural India (Sari) in the State of Tamil Nadu

People in a tiny village called pathinettangudi, 35km from Madurai, Tamil Nadu, a state in South India, are enjoying the fruits of IT revolution. They are using e-mails, voice mail and web cams courtesy the Sustainable Access in Rural Internet (SARI) project. Around 30 other villages around pathinettangudi are also covered under this project and are being provided with similar facilities through 'Public Access Internet Kiosks'.

8.5 Project Sampark in Chandigarh

Union territory of Chandigarh, the capital of

two states-Punjab and Haryana, is a planned city of India. Chandigarh Administration in an effort to provide a responsive and effective administration has effectively relied on the Information Technology mode to ensure better quality services to its citizens. Its Memorandum of Understanding with IBM has led to establishment of 'IBM e-governance solution centre' for the administration, consequently developing different e-government applications. A Project called 'Sampark' has been initiated. Under this project electronic service centers known as 'Sampark Centers' have been established at different locations in the city. These centers provide different government services such as Payment of Taxes, Payment of Water, Sewerage, and Electricity Bills, Payment of Sticker/Postal Challan, Issue of Bus Passes, Issue of Senior Citizen Cards, Issue of Births and Death Certificates, Space Bookings, Tenant Registrations, Domestic Servants Registrations, Passport Applications, and selected Telephone Bills under a single roof thereby reducing costs and saving time of the customers there being no jurisdiction limitations.[13]

9. End sections

9.1 Conclusion

A number of e-government challenges are emerging today which show that the future of e-government may be sober and not hype. E-government hype is not e-government reality. The central lesson which emerges out of e-government practice for last more than a decade is that public service delivery continues to be unsatisfactory and the vast, almost revolutionary potential, of e-government continues to be unrealized. To redress the situation it is necessary to define e-government afresh and propose a citizen-centric criteria-based definition of e-government as a lodestar to guide the efforts of e-government policy makers and implementers. This definition of e-government needs to be operationalised by carefully prepared ebusiness plans at the central, state and district levels so that the basic objective of e-government of serving the citizens does not loose sight in the quagmire of implementation where rubber meets the road.

9.2 Acknowledgement

The author of the article would like to thank Dr. Bhaskar Karn, Research guide for his continuous guidance and support in preparing the article. Also, sincere thanks to my husband and my son for their co-

operation and support.

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