
CHALLENGES AND BARRIERS IN EFFECTIVE IMPLEMENTATION OF THE RIGHT TO INFORMATION ACT IN INDIA

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ABSTRACT

The Right to Information Act, 2005 (RTI) was enacted to promote transparency and accountability in the functioning of public authorities across India. As a legislative measure, it aims to empower citizens, combat corruption, and promote participatory democracy. However, the actual implementation of the RTI Act has encountered significant hurdles that compromise its effectiveness. This research paper aims to conduct an in-depth legal analysis of the structural, administrative, political, and socio-cultural challenges impeding the full realization of the RTI Act. The paper draws on empirical data, case laws, and comparative international practices to highlight the need for comprehensive reforms and the strengthening of institutional mechanisms. This paper critically examines the multifaceted barriers obstructing the realization of the RTI Act's goals. These include administrative inefficiencies, lack of adequate training among Public Information Officers (PIOs), limited public awareness, increasing backlog of cases in information commissions, and growing political and institutional resistance. The paper also highlights the threats faced by RTI activists and the gradual weakening of the Act through legislative amendments. Through an in-depth analysis of these issues, the study aims to underscore the gap between the legal promise of transparency and the practical realities on the ground. It further explores possible reforms and strategies to revitalize the RTI framework, ensuring that the right to information remains a powerful tool for democratic engagement and accountability in India.

1. Introduction:

The Right to Information (RTI) Act of 2005 is regarded as one of the most progressive pieces of legislation in post-independence India. By enabling citizens to request information from public authorities, the RTI Act established an institutionalized framework for transparency and accountability in governance. Despite the significant progress made, including increased civic engagement and numerous exposes of corruption, the Act's implementation has not been without problems. Structural inadequacies, bureaucratic inertia, judicial ambiguities, and threats to activists form a complex web of barriers that have impeded its intended outcomes. Despite its transformative potential and the initial success in increasing transparency, the effective implementation of the RTI Act continues to face numerous challenges and systemic barriers. Issues such as lack of awareness among citizens, bureaucratic apathy, inadequate infrastructure, delays in information delivery, and increasing instances of retaliation against RTI activists have raised concerns about the long-term efficacy of the Act. Moreover, the dilution of the Act through legislative amendments and growing pendency in information commissions have further weakened its impact. This research paper aims to explore and analyze the key challenges and structural impediments that hinder the effective enforcement of the RTI Act in India. By identifying the root causes of these barriers and assessing their implications, the paper seeks to offer insights and recommendations for strengthening the RTI regime and ensuring that the right to information is not only upheld in principle but also realized in practice.

2. Legal and Constitutional Foundation of the RTI Act:

The RTI Act finds its roots in the constitutional guarantees of freedom of speech and expression under **Article 19(1)(a)** of the Indian Constitution. The Supreme Court, in several landmark judgments including *State of Uttar Pradesh v. Raj Narain (1975)* and *S.P. Gupta v. Union of India (1982)*, upheld the citizen's right to know as intrinsic to democratic governance. The enactment of the RTI Act institutionalized this principle but did so within a framework that also included limitations and exemptions under **Sections 8 and 9** of the Act.¹ These exemptions, intended to protect national security, privacy, and commercial interests, have often been used broadly, leading to frequent denial of information. The legal journey toward the enactment of the RTI Act began with a series of judicial pronouncements that expanded the scope of

¹ Right to Information Act, 2005, Sections 8 and 9.

fundamental rights. In landmark cases such as *State of Uttar Pradesh v. Raj Narain (1975)* and *S.P. Gupta v. Union of India (1982)*, the judiciary emphasized that the right to know is inherent in the right to freedom of expression, and that openness in government is a necessary condition for a healthy democracy.

Freedom of expression, and that openness in government is a necessary condition for a healthy democracy. In addition to constitutional backing, the RTI Act aligns with India's obligations under various international instruments, such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), both of which recognize the importance of freedom of information as a human right. The RTI Act, 2005, is a comprehensive legislation that provides a clear legal framework for accessing information from public authorities. It mandates timely responses to citizens' requests for government-held information, promotes proactive disclosure, and establishes independent appellate mechanisms in the form of Central and State Information Commissions. The Act also overrides provisions in the Official Secrets Act, 1923, to the extent of inconsistency, signaling a paradigm shift from secrecy to openness in governance. Thus, the RTI Act is not just a statutory right but an extension of fundamental constitutional principles that uphold participatory democracy and empower citizens to hold the government accountable.

3. Administrative and Structural Barriers:

The success of the Right to Information (RTI) framework is intricately linked to the efficiency and responsiveness of the administrative apparatus tasked with its implementation. However, several administrative and structural shortcomings persist, significantly impeding the effective realization of the Act's objectives:

- **Lack of Awareness and Training:**

A significant number of Public Information Officers (PIOs) are inadequately trained, leading to delays or wrongful denial of information requests.² Many PIOs are unaware of the provisions of the Act or lack the skills to process requests correctly, resulting in delayed responses or wrongful denials of information. This not only undermines the spirit of the Act but also discourages applicants from seeking information through official channels. Furthermore, there

² CHRI, "People's Monitoring of the RTI Regime", Annual Report, 2022.

is a lack of regular, structured training programs for government officials at various levels, leading to inconsistent implementation and interpretation of RTI norms across departments.

- **Record Management Deficiencies:**

Many departments lack updated and digitized records. The failure to implement Section 4 of the RTI Act, which mandates proactive disclosure, has led to an overburdening of the RTI mechanism. Many government departments continue to maintain outdated and poorly organized records. The failure to digitize and systematically store documents has created major bottlenecks in responding to RTI queries. One of the key provisions of the Act **Section 4**, which mandates Suo motu disclosure of information remains largely unimplemented. As a result, citizens are compelled to file individual RTI applications for information that should have been proactively disclosed. This has led to an unnecessary burden on both applicants and PIOs, increasing pendency and delays within the system.

- **Poor Monitoring and Evaluation:**

Central and State Information Commissions suffer from understaffing and inadequate infrastructure. There is no effective system for monitoring compliance or penalizing non-performance by PIOs. Many commissions operate without full-time Chief Information Commissioners, and their functioning is hindered by bureaucratic red tape. Additionally, there is no robust mechanism for regularly monitoring compliance by PIOs or penalizing them for non-performance. Despite the Act empowering commissions to impose penalties for delays or denial of information without reasonable cause, enforcement remains weak due to administrative reluctance and systemic inertia.

4. Pendency and Non-Functionality of Information Commissions:

The Information Commissions, designed as quasi-judicial bodies to hear appeals and complaints under the RTI Act, are plagued by severe backlogs. The Central Information Commission (CIC) and several State Information Commissions (SICs) have been operating with vacant positions for extended periods.³ For instance, as of 2023, the Maharashtra SIC reported over 30,000 pending cases, some dating back more than five years.

³ Annual Report of the Central Information Commission, 2023.

The lack of time-bound disposal mechanisms reduces the efficacy of the Act. There is a notable lack of incentives for officials to ensure proactive and timely disclosure of information. On the contrary, the fear of exposing administrative inefficiencies or irregularities often leads to deliberate non-disclosure. The lack of accountability mechanisms further emboldens such behavior, weakening the overall impact of the RTI Act.

5. Political and Legislative Undermining:

The political establishment has often shown discomfort with the increasing transparency brought about by the RTI regime. The RTI (Amendment) Act, 2019, which empowered the central government to determine the tenure and salaries of Information Commissioners, has been widely criticized for undermining the autonomy and independence of these bodies.⁴ Furthermore, various attempts to dilute the law through bureaucratic rule-making and legislative overreach have eroded public trust in the mechanism. One of the most significant developments in this context was the RTI (Amendment) Act, 2019, which altered key provisions related to the tenure, salary, and service conditions of the Chief Information Commissioner (CIC) and Information Commissioners (ICs). By vesting these powers with the central government, the amendment compromised the autonomy and independence of these watchdog bodies, sparking widespread criticism from civil society and legal experts.

Moreover, the political class has increasingly used bureaucratic rule-making and legislative tools to weaken the scope and implementation of the RTI Act. These include opaque appointment processes for commissioners, delays in filling vacancies, and reduced financial and administrative support to Information Commissions. Such actions have contributed to a decline in public trust, discouraging citizens from fully utilizing the law as a means to enforce transparency and hold power accountable.

Over the years, the RTI Act has faced systemic efforts by the political class to dilute its effectiveness, particularly when transparency threatens vested interests. The RTI (Amendment) Act, 2019 is a prominent example. This amendment gave the central government discretionary powers to decide the tenure, salaries, and service conditions of the Chief Information Commissioner and State Information Commissioners, thereby significantly compromising the independence and autonomy of these quasi-judicial bodies.

⁴ RTI (Amendment) Act, 2019.

Such changes undermine the federal character of the Act and allow the executive branch to exert undue influence over institutions that are meant to act as checks on its power. Civil society organizations, former commissioners, and transparency advocates have widely criticized these moves as regressive and anti-democratic.

Beyond legislative amendments, political interference often takes the form of delays in appointments to Information Commissions, underfunding, and lack of infrastructure—further weakening the enforcement machinery. These tactics reflect a broader discomfort among political elites with the culture of openness that the RTI Act fosters.

6. Threats to RTI Activists and Whistleblowers:

According to a report by the Commonwealth Human Rights Initiative, over 90 RTI users have been killed and hundreds assaulted since 2005 for seeking information that exposed corruption or criminal nexus. [5] Despite the passage of the WhistleBlowers Protection Act in 2014, the absence of a robust enforcement mechanism means that RTI users operate in an environment of fear and risk. This chilling effect discourages many from utilizing the law to demand accountability. Perhaps one of the most alarming challenges in the effective implementation of the RTI Act is the personal risk faced by those who use it to uncover corruption or malfeasance. According to the Commonwealth Human Rights Initiative (CHRI), more than 90 RTI activists have been murdered and hundreds assaulted since 2005. These attacks typically target individuals who have exposed powerful interests, such as corrupt officials, illegal land dealings, or misuse of public funds.

While the WhistleBlowers Protection Act, 2014 was a step in the right direction, its weak enforcement and the failure to operationalize its key provisions have left activists vulnerable. The absence of adequate legal safeguards, coupled with slow investigation and prosecution of such crimes, fosters a climate of fear and intimidation. This “chilling effect” deters many from filing RTI requests, particularly in rural areas or politically sensitive regions, thereby weakening one of the core democratic tools for citizen participation and accountability. The increasing number of attacks on RTI users and activists has created an environment of intimidation and fear,⁵ especially at the grassroots level. According to data cited by the Commonwealth Human Rights Initiative (CHRI), over 90 RTI users have been murdered, and

⁵ CHRI, "Hall of Shame: Attacks on RTI Users", 2023.

hundreds assaulted for exposing corruption or wrongdoing often involving powerful local officials or criminal-political nexuses.

These targeted attacks highlight a serious gap in enforcement and protection. Although the WhistleBlowers Protection Act, 2014 was enacted to safeguard individuals exposing corruption, the law remains ineffectively implemented. It lacks a clear mechanism for providing protection to RTI users, and whistleblowers continue to be vulnerable due to institutional apathy and slow judicial processes.

This situation has a chilling effect on the usage of the RTI Act, especially in rural or conflict-prone areas. Citizens are often dissuaded from seeking information, fearing retaliation not just from the accused, but sometimes also from local authorities and law enforcement agencies themselves.

7. Socio-Cultural and Economic Barriers:

While urban populations have shown relatively higher engagement with the RTI Act, awareness and use of the Act remain low in rural and marginalized communities. Literacy barriers, lack of access to information and technology, and bureaucratic intimidation prevent equitable utilization of the RTI mechanism. Additionally, many RTI applications are returned due to technical errors or lack of clarity, without adequate guidance for applicants.⁶ The RTI Act was envisioned as a tool for universal empowerment, but its usage remains skewed towards urban and educated populations. In rural, tribal, and marginalized communities, significant socio-cultural and economic barriers prevent effective utilization of the law. These include low literacy rates, lack of awareness about the law, fear of retaliation, and limited access to technology and internet services necessary for online filing or tracking of applications.

Additionally, many citizens face bureaucratic obstacles, such as unclear procedures, poor guidance from officials, or arbitrary rejection of applications. Minor technical errors like language issues or lack of specificity in the request often lead to dismissal, especially in cases where applicants are not well-versed in official procedures. These limitations result in an unequal access to the RTI mechanism, reinforcing existing social inequalities. To address this, there is a pressing need for targeted awareness campaigns, vernacular RTI resources, digital

⁶ National Campaign for People's Right to Information (NCPRI), Awareness Reports, 2022.

literacy programs, and proactive outreach in remote and disadvantaged regions.

The benefits of the RTI Act have been unequally distributed across India's diverse socio-economic landscape. Urban and educated populations are more likely to file RTI applications and follow up through appeal mechanisms, while rural, tribal, and marginalized communities face multiple hurdles.

These include:

- Illiteracy and lack of legal awareness, which prevent people from understanding their rights under the Act.
- Language barriers, as most RTI forms and websites are in English or Hindi, while many applicants speak regional or tribal languages.
- Limited access to technology, especially in areas with no internet or unreliable postal systems.
- Fear of backlash, especially in small villages or tightly-knit communities, where questioning authority is culturally discouraged.

Furthermore, the bureaucratic culture in many public offices is unhelpful and often intimidating for ordinary citizens, especially those from disadvantaged backgrounds. Many RTI applications are returned for minor technical reasons (e.g., vague wording, incorrect format), and applicants are not given adequate support or guidance.

To make RTI more inclusive, there is a need for community outreach programs, vernacular-language resources, legal aid, and digitally assisted help centers, particularly in remote and underprivileged areas.

8. Judicial Interpretations and Scope Limitation:

Though the judiciary has generally supported the right to information, certain judgments have narrowed its scope. In *Girish Ramchandra Deshpande v. CIC (2013)*, the Supreme Court ruled that personal information unrelated to public activity can be denied under **Section 8(1)(C)**,

setting a precedent for broader interpretations of privacy exemptions.⁷

These judgments have created legal grey areas that are often exploited by authorities to deny legitimate requests. While the judiciary in India has broadly supported the spirit of the RTI Act, certain judicial pronouncements have led to ambiguities in scope and conflicting interpretations. The Supreme Court and High Courts have, in several cases, upheld the citizen's right to access information. However, in some judgments, the courts have also prioritized privacy, national security, or institutional autonomy over transparency, leading to restrictions on information access.

For example, information pertaining to judicial collegium decisions, intelligence agencies, and personal data of public officials has been exempted under various interpretations of the law or **Article 8** of the RTI Act. While some of these restrictions are valid, an over-reliance on exceptions without robust reasoning risks undermining the fundamental purpose of the law.

Additionally, legal delays and limited understanding of the RTI framework among judicial officers often result in prolonged litigation and inconsistent enforcement, weakening the confidence of citizens in the RTI redressal process.

One landmark case often cited in this context is *Girish Ramchandra Deshpande v. CIC (2013)*. In this case, the Supreme Court ruled that personal information unrelated to public activity could be denied under **Section 8(1)(j)** of the RTI Act, thereby setting a precedent for a broader interpretation of privacy exemptions. While the ruling is often defended on grounds of protecting individual privacy, it has opened the door to the misuse of exemptions by public authorities who seek to deny legitimate information requests under the guise of personal privacy.

9. Comparative International Perspectives:

Countries like Mexico and South Africa have developed comprehensive transparency frameworks with strong enforcement bodies and public engagement models. For example, Mexico's National Institute for Transparency (INAI) has constitutional status and operates independently with significant enforcement powers. Lessons from such jurisdictions suggest

⁷ Girish Ramchandra Deshpande v. CIC, (2013) 1 SCC 212.

the need for stronger institutional autonomy, public education, and real-time transparency systems in India.⁸

When analyzing the challenges in the effective implementation of the Right to Information (RTI) Act in India, it is valuable to draw comparisons with other countries that have successfully institutionalized transparency and public access to information.

These comparisons not only highlight the global best practices but also shed light on where India's implementation can be strengthened. By comparing India's RTI framework with global standards, it becomes clear that while India has a strong legal foundation, implementation gaps, lack of accountability, and insufficient protections continue to hinder the law's transformative potential. Learning from international models can help reform India's RTI regime to better serve democratic transparency.

Mexico

Mexico stands out as a global leader in transparency legislation. Its Federal Law on Transparency and Access to Public Government Information is supported by strong constitutional backing. The National Institute for Transparency, Access to Information and Personal Data Protection (INAI) is an autonomous body empowered to enforce transparency laws. It has investigative and sanctioning powers, ensuring that government departments comply with disclosure norms. INAI also runs extensive public education campaigns, provides digital access platforms, and enforces strict penalties for non-compliance, contributing to a culture of openness. Mexico is often cited as one of the most progressive countries in terms of access to information laws. The General Law of Transparency and Access to Public Information (2015) mandates transparency at all levels of government. The key success factor is the establishment of the National Institute for Transparency, Access to Information and Protection of Personal Data (INAI)—a constitutionally autonomous body with strong enforcement capabilities. INAI can:

- Order disclosures even against government resistance.
- Impose sanctions for non-compliance.

⁸ Global Right to Information Rating, Access Info Europe and Centre for Law and Democracy, 2023.

- Promote public awareness and digital transparency.

Mexico's proactive disclosure, multilingual platforms, and public grievance mechanisms are significantly more robust than those in India, helping to ensure higher compliance and civic participation. South Africa's Promotion of Access to Information Act (PAIA) adopts a rights-based approach, framing access to information as essential for achieving social and economic justice. The law mandates all public and some private bodies to maintain information manuals and respond to information requests in accessible formats.

Significantly, civil society plays a strong role in:

- Educating citizens in marginalized communities.
- Assisting in filing requests.
- Litigating cases of wrongful denial.

This highlights the importance of community-led implementation models, which India could benefit from, especially in tribal and remote areas.

South Africa

South Africa's Promotion of Access to Information Act (PAIA) is another strong example of rights-based access to public information. What distinguishes South Africa is the integration of the right to information with broader human rights and its linkage to social justice, such as accessing welfare, education, and healthcare. The government has also made efforts to reach rural and marginalized communities through community-based awareness programs, legal aid, and simplified application procedures.

Sweden and Finland

These Nordic countries represent some of the oldest and most deeply entrenched transparency regimes. Sweden, for instance, passed its Freedom of the Press Act in 1766, which includes provisions for public access to official documents. Both Sweden and Finland ensure routine proactive disclosure, whereby government documents are published online or made readily available without requiring formal requests. This reduces the burden on RTI processing and enhances administrative efficiency. Sweden's Freedom of the Press Act (1766) and Finland's

Act on the Openness of Government Activities reflect a centuries-old commitment to transparency. Core features include:

- Automatic disclosure of official documents unless a strong public interest justifies non-disclosure.
- An efficient, digital-first approach to document access.
- Cultural embedding of openness as a governmental norm, not an exception.

Such models show that transparency is not just legal but cultural, something India is still striving to achieve.

United Kingdom

The UK Freedom of Information Act (2000) mandates all public authorities to proactively publish certain categories of information through a Publication Scheme. Additionally, the Information Commissioner's Office (ICO) plays a strong regulatory and enforcement role, ensuring that the right to information is upheld in both letter and spirit. The appeals process is streamlined and generally less adversarial compared to the Indian model.

Key Takeaways for India:

- **Independent Oversight:**

Countries like Mexico and the UK have empowered, autonomous institutions with enforcement powers. India's Information Commissions often lack autonomy, are underfunded, and suffer from backlogs.

- **Proactive Disclosure:**

The Indian system largely relies on citizen-driven applications, whereas countries like Finland focus on automatic publication of information, minimizing the need for formal RTI requests.

- **Protection for Whistleblowers and RTI Users:**

Mexico and South Africa provide better protection frameworks and enforcement

mechanisms for those exposing corruption or misuse of public office.

- **Public Awareness and Accessibility:**

Comprehensive education campaigns and local language accessibility are stronger in many other countries. India needs to invest more in inclusivity, especially in rural and marginalized areas.

- **Digital Infrastructure:**

Several countries have user-friendly, centralized RTI portals that are transparent and trackable. India's digital RTI infrastructure remains fragmented and uneven across states.

- **Strengthening Oversight Bodies:**

Unlike INAI in Mexico or the ICO in the UK, Indian Information Commissions often lack autonomy and are overburdened with case backlogs. Commissions must be given enforcement powers and adequate funding to ensure effective redress.

- **Mainstreaming Proactive Disclosure:**

India's Section 4 mandates proactive disclosure, but implementation is weak. Following Sweden or Finland's lead could reduce the burden of RTI applications.

- **Community Engagement:**

Civil society involvement in South Africa's RTI ecosystem has helped bridge the literacy and accessibility gap—a model India should scale up, particularly through NGOs, local panchayats, and legal aid clinics.

- **Digital Infrastructure and Accessibility:**

India's RTI portals vary widely by state. A centralized, real-time, multilingual RTI tracking system—on the lines of Mexico's INFOMEX platform—would promote uniformity and user-friendliness.

- **Protection of RTI Users:**

Unlike some other nations, India lacks robust whistleblower protection. Ensuring safety for RTI users is crucial to preserving trust in the system and encouraging usage.

10. Issues:

Many PIOs are inadequately trained, leading to delays or wrongful denial of information requests.⁹

1.

Vacancies and case backlogs reduce the efficacy of RTI implementation. Some commissions report cases pending for over five years.¹⁰

The RTI (Amendment) Act, 2019, compromises the independence of Information Commissions by allowing the central government to control their tenure and salaries.¹¹

2. Over 90 RTI users have been killed since 2005, with many others assaulted, deterring civic participation.¹²

Usage of the RTI Act is limited among marginalized communities due to literacy and access challenges.¹³

11.Objectives:

A. Lack of Awareness and Training Among Public Information Officers (PIOs) Pendency and Non-Functionality of Information Commissions:

One of the core administrative challenges in the implementation of the RTI Act is the lack of proper training and sensitization of Public Information Officers (PIOs). Many PIOs are unaware of the nuances of the RTI Act, including timelines, exceptions under **Section 8**, and obligations under Section 4 regarding proactive disclosure. As a result:

⁹ CHRI, "People's Monitoring of the RTI Regime", Annual Report, 2022.

¹⁰ Maharashtra SIC Backlog Report, 2023 (via CHRI).

¹¹ RTI (Amendment) Act, 2019.

¹² CHRI, "Hall of Shame: Attacks on RTI Users", 2023.

¹³ NCPRI, Awareness and Utilization of RTI in Rural India, 2022.

- They may delay or deny legitimate requests,
- Provide incomplete information,
- Or misinterpret the legal provisions.

This creates frustration among applicants and defeats the purpose of the Act. Regular capacity-building sessions, legal updates, and refresher training programs are essential to improve the efficiency and responsiveness of PIOs.

B. Political and Legislative Undermining:

Central and State Information Commissions, which serve as appellate bodies under the RTI framework, often suffer from:

- Severe backlogs due to a shortage of commissioners,
- Lack of administrative resources,
- And procedural inefficiencies.

The long pendency of appeals and complaints weakens the enforcement mechanism, discouraging citizens from pursuing their right to information. In some states, commissions remain virtually non-functional due to political apathy or lack of appointments. Strengthening these bodies is crucial for maintaining the credibility and deterrence of the RTI regime.

C. Pendency and Non-Functionality of Information Commissions:

Recent amendments to the RTI Act particularly the RTI (Amendment) Act of 2019 have raised concerns about the dilution of the independence and effectiveness of Information Commissions. By giving the central government the power to decide the tenure and salary of commissioners, the amendment is seen as undermining the autonomy of these quasi-judicial bodies. Moreover, political interference and bureaucratic resistance often curb transparency and limit proactive disclosures.

D. Threats to RTI Activists and Whistleblowers:

Since the RTI Act became operational, several activists who used it to expose corruption and misuse of power have faced serious threats—including harassment, violence, and even death. The lack of proper enforcement of the WhistleBlowers Protection Act, 2014, further leaves activists vulnerable. The fear of retaliation discourages citizens from filing RTI requests, particularly in cases involving powerful officials or entities.

E. Socio-Cultural and Economic Barriers:

Despite the RTI Act being a people-centric legislation, access to it is not uniform across different sections of society. Rural populations, tribal communities, and economically disadvantaged groups often:

- Lack awareness of the Act,
- Face language and literacy barriers,
- And do not have the resources or knowledge to file RTI applications.

Additionally, there may be a lack of access to internet facilities or postal services in remote areas. These socio-economic disparities must be addressed to ensure the equitable and inclusive application of the RTI Act.

12. Recommendations:

To revitalize the RTI regime and overcome the identified barriers, the following steps are recommended:

- **Institutional Strengthening:**

Ensure autonomy and adequate resourcing of Information Commissions. The Central and State Information Commissions must be granted functional and financial independence. Appointments should be transparent and timely to avoid vacancies and delays in hearings. Both the Central and State Information Commissions should operate independently without executive interference. Their structural autonomy must be protected to ensure impartial adjudication. Delays in the appointment of Information

Commissioners lead to a backlog of cases. Efficient staffing ensures timely processing of appeals and complaints.

- **Capacity Building:**

Mandatory and regular training of PIOs and support staff. Regular, standardized training programs must be instituted to enhance understanding of RTI provisions, reduce errors in handling applications, and ensure citizen-friendly communication. Bureaucratic resistance and lack of cooperation can be mitigated through workshops, manuals, and monitoring frameworks focused on transparency and accountability. Public Information Officers (PIOs) and appellate authorities must undergo regular, updated training programs to stay informed about legal developments, technological tools, and citizen-centric practices. A structured performance audit system should be introduced to assess the effectiveness of PIOs and institutional compliance.

- **Public Awareness:**

Nationwide campaigns targeting marginalized groups and rural populations. Government and civil society must collaborate to run extensive awareness campaigns, especially in rural, tribal, and marginalized communities. Use of regional languages, digital media, and grassroots outreach is essential. The RTI Act and its importance should be introduced into school and college curriculums to build a culture of informed citizenship. Special campaigns in local languages should be designed for rural, tribal, and illiterate populations to promote the use of RTI as a tool for grievance redressal. Grassroots organizations and universities can play a crucial role in spreading awareness and conducting workshops on how to file RTI applications.

- **Whistleblower Protection:**

Full implementation of the WhistleBlowers Protection Act, with strong safeguards. The WhistleBlowers Protection Act, 2014 should be fully enforced, with urgent amendments to cover RTI users and ensure anonymity, safety, and protection from retaliation. A secure and anonymous digital portal can allow citizens to report corruption or misuse without fear. The government must operationalize this Act, which remains largely dormant. RTI activists need legal safeguards, identity protection, and a

fast-track grievance redressal mechanism. Establish helplines and emergency legal aid services for RTI applicants and activists who face threats or violence.

- **Proactive Disclosures:**

Public authorities should publish information proactively, such as budgets, project reports, staff lists, procurement data, and meeting minutes. Digitization and centralized dashboards can enable easier access to proactively disclosed information, reducing dependency on formal RTI requests. Public authorities should be penalized for non-compliance with proactive disclosure norms. Information such as budgets, contracts, decisions, and meeting minutes must be made public routinely. Development of centralized RTI portals for all states with multilingual support and real-time status tracking can improve efficiency and accessibility.

13. Case Laws:

- ***Girish Ramchandra Deshpande v. CIC & Ors. (2013) 1 SCC 212***

This case regards to whether personal information about a public servant could be disclosed under RTI. The Supreme Court held that personal information that does not relate to public activity or interest is exempt under **Section 8(1)(j)**. This judgment was criticized for narrowing the scope of RTI and setting a precedent for denying legitimate requests under the pretext of privacy.

- ***Anjali Bhardwaj v. Union of India (2019) W.P. (C) 11226/2018, Delhi High Court***

This case regards Delay in appointments to the Central Information Commission and State Information Commissions. The court directed timely and transparent appointments to ensure proper functioning. Highlighted government apathy and the administrative inefficiency weakening the RTI framework.

- ***CBSE v. Aditya Bandopadhyay (2011) 8 SCC 497***

This case regards to whether answer sheets of students can be disclosed under RTI. SC allowed disclosure, reinforcing citizens' right to access their information. Though favorable, the judgment highlighted the tension between transparency and

administrative capacity.

- ***Union Public Service Commission v. Gourhari Kamila (2014) Civil Appeal No. 6159/2013***

This case regards to Exemption of personal data in exam evaluation systems. Emphasized balancing public interest with privacy rights under **Section 8**. Reinforced the ambiguity in how privacy exemptions are applied under RTI.

- ***Namit Sharma v. Union of India (2013) 1 SCC 745***

This case regards to Composition and qualifications of Information Commissioners. Initially mandated judicial members in Commissions, later reviewed. Reflected on the quality and consistency of Commission decisions affecting accessibility.

- ***State of Uttar Pradesh v. Raj Narain AIR 1975 SC 865***

This is a landmark case that laid the foundation for the right to know in Indian democracy. The Supreme Court held that citizens have a right to know about government activities, forming the ideological basis for the RTI Act. Though predating the RTI Act, this judgment underpins the Act's spirit and is still cited in cases of delayed or denied disclosures.

- ***Secretary General, Supreme Court of India v. Subhash Chandra Agarwal (2010) LPA No. 501/2009, Delhi HC***

This case regards to whether information about judges' assets could be disclosed. Held that even the Chief Justice's office comes under RTI. A major step toward transparency in the judiciary, despite resistance.

- ***Thalappalam Service Coop Bank Ltd. v. State of Kerala (2013) 16 SCC 82***

This case regards to whether co-operative societies fall under RTI as public authorities. Held that not all societies receiving government aid qualify as public authorities under RTI. Narrowed the definition of "public authority", thereby excluding many organizations from scrutiny under RTI.

- ***Indian Institute of Technology (IIT) v. Parvati Devi (2015) CIC/SA/A/2015/000234***

This case regards to denial of information on exam evaluations. CIC ordered disclosure, criticized IITs for routinely rejecting RTI requests. Exposed educational institutions' resistance to transparency.

- ***Khanapuram Gandaiah v. Administrative Officer (2010) 2 SCC 1***

This case regards to whether RTI can be used to seek explanations/opinions from public authorities. Clarified that RTI is not meant for seeking opinions or justifications. While it sets boundaries, it has also been misused by authorities to deny valid queries.

14.Conclusion:

The RTI Act symbolizes democratic empowerment in India but suffers from systemic flaws that hinder its intended impact. Without improvements in infrastructure, legal clarity, public awareness, and activist protection, the law's transformative potential remains untapped. Comprehensive reforms and political commitment are essential to revitalize this cornerstone of transparent governance. In conclusion we can say that Implementation and regular training programs for PIOs and support staff is necessary, Filling vacant positions promptly and introducing time-bound disposal of cases must be efficient, Protecting the independence of the commissions through legal safeguards and transparent appointments must be important, Enforcement of the WhistleBlowers Protection Act, 2014, and implement safeguards for RTI activists must be adequate, Launching awareness drives in rural areas and provide legal/technical support to applicants must be the main motive to overcome the challenges and barriers for Right to Information Act's efficiency.