MAKING GOVERNANCE WORK:
TOWARDS ACCOUNTABILITY AND TRANSPARENCY

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We call India a democracy, since we have a constitution and a reasonably fair system of elections. However, it has not delivered the desired expectations of fairness, equity and progress since our governance has been poor. The dilemma is that if 'we the people' govern our nation, how is it that we are unhappy with our governance?

The truth is that the government is largely unaccountable to us, and except for electing our representatives, we do not have much say in the way the government functions. The legislators, bureaucrats and judges have not imbibed and internalized the thought that they are public servants. Until 12 October 2005, there was very little transparency in their functioning. Citizens knew only what the government chose to tell them, and even those in power who may have wished to share information with the public were shackled by the oath of secrecy and the 'Official Secrets Act'.

With the advent of the Right to Information Act in 2005, the citizen's fundamental right to be informed was recognized and codified. It was recognized as a statutory obligation by the government towards its masters. RTI has managed to change the paradigm of power. However, there are many bottlenecks and people are expressing their dissatisfaction with the way the information is being shared, and more often denied to them. Government servants are beginning to develop stratagems to obscure and deny information. With a large number of Information Commissioners and judges being upset at the assertion of rights by citizens to question and seek accountability, citizens are now facing increasing resistance. This is compounded by the problems due to extremely poor record keeping and corruption.

The solution to this lies in Section 4 of the RTI Act. The requirement and promise of Section 4 is that most information on government working would be available to citizenssuo moto. This also mandated that most of the working and records would be computerized and networked throughout the nation. This alas has not been done despite the passage of nine years. When a citizen goes to any office for some work, he is often told that

the relevant file is unavailable. If he pays a bribe, it becomes available. It is common knowledge that depending on the amount of the bribe in many offices, a record in the file can be altered, changed or replaced. If the right amount is offered, the entire file can be made to disappear.

A significant percentage of corruption takes place because of this method of keeping paper files. Providing information to RTI queries involves referring to these files, which are often difficult to find. Any organization keeps records to be able to refer to them. Many offices create records which they cannot access after a few months! Most have computers which are usually used as electric typewriters. If all the work was done on computers and each day the default mode was that it would be displayed on the website, there could be sea change in our governance. Only some information, which is thought to be exempt as per the RTI Act should not go on the website. If parliament can proceedings can be telecast live, is there any reason why our executive and judiciary cannot function in a transparent manner?

Only with transparency can there be hope of accountability. If purchase orders of CWG ordering toilet paper rolls for ₹400 each had to be displayed on the website, would such an order ever have been given? The fact that the information on decisions will be available transparently will itself curb some of the arbitrariness and corruption. Unfortunately, most powerful people subscribe to the idea of transparency for others and are reluctant to practice it themselves. The corrupt obviously dislike transparency, whereas the honest have the arrogance of believing they know best and informing citizens and explaining their actions to them hinders their work. This is the big challenge. Accountability will automatically follow transparency. Corruption reduction will be an easy byproduct of this system.

Our current system of working requires work to be reflected in various paper files. This information or data may then be consolidated by a person and any error in this consolidation is difficult to identify. If all offices work only on computers and transmit files on intranet or internet the decision making process would be much faster. Transparency could be achieved by design if all the files were to be displayed at the end of each day on websites. Officers may be given a few guidelines as to the material which is considered exempt as per Section 8 (1) of the RTI Act. This would not be displayed on the website. If any change is made or any record deleted it is possible to identify the person who did it and also what it was initially. Backup could be taken at regular intervals in a different city, so that even an earthquake would not be able to destroy the records.

As for the argument that government servants cannot use computers or security issues cannot be handled, we merely need to look at our public sector banks to see that they are able to get to do this quite efficiently, with no major problem to the security of data, or their operations. India greatly prides itself on technology superiority in Information Technology, but fails to use it effectively for governance. Reports could be extracted from the computerized data which could be as accurate as the data collected and decision making would be more efficient and reasoned.

This writer has analyzed data of courts and realized that the absurd period why the common litigant has to wait endlessly for justice is primarily due to the fact that the simple First In First Out (FIFO) is not practiced in courts. If dates and adjournments in courts were given by computers with some transparent systems instead of the current arbitrariness, the nation would have a fairer and accountable system of justice. Accountability to citizens is the rationale and foundation of democracy and this cannot be achieved unless transparency is built into our governance as a default mode. Digital working can achieve this and the government only needs to decide on a time frame of say two years to achieve this. We have the need, the benefits would enormous and we would have a meaningful democracy, where government will have greater credibility and trust from its citizens. ✾