



## **International Journal of Allied Practice, Research and Review**

Website: [www.ijaprr.com](http://www.ijaprr.com) (ISSN 2350-1294)

# **Access of Information under RTI Act has fulfilled its very Objectives of Containing Corruption or Bringing Good Governance in Democracy? Random Analysis with Reference to Demonetisation, and Information Aailed Regarding Grievances, in the Functioning, SMC**

**Hirnes S Bhavsar and Dr. Priti Garg**

Personnel officer Surat Municipal Corporation, Ph.d scholar VNSGU  
Head of department, VNSGU Surat

**Abstract -** Right to Information Act 2005 is a land mark legislation enacted by the Parliament of India to empower the people with information so that they can participate meaningfully in governance and hold government accountable, to cherish very objectives of the act enshrined in preamble including transparency and to contain corruption, to set out practical access of information and last but not the least to held Government and it's instrumentalities accountable to the governed. Decadal experience of the implementation of the Right To Information Act in India indicate that sufficient efforts are made by public authorities to make accessible information to citizens' through the Act by proactively publishing information under section 4.

Ultimate goal of RTI is to bring good governance. So it is analysed that after access to information characteristics of good governance like civic participation, civic centric administration and protection of civic rights turns in to reality to bring good governance or not.

To fulfil the objectives of the transparency law, along with citizen charter prompt action needed to redress the grievances also to bring accountability and to contain corruption. Therefore, if we have a dedicated bureaucracy with transparency, accountability and responsiveness, then they will provide a good leadership and good governance. This is ultimate aim of the transparency Act. To eradicate the black money, nepotism, favouritism, manipulation and corrupt practice we should eradicate the corruption and it is possible only through transparency, accountability, right person on right job with honesty and integrity having civil society inspection and audit, key decisions taken post debate in GRAM SABHA or ward committee ant ratified by district planning metropolitan committee under article

243, having right to citizen public service act. Citizen charters like acts and independent authorities like LOKAAYUKTA and LOKPAL to prosecute immediately the culprit bring the good governance in true spirit.

This paper attempts to critically evaluate post implementation of RTI act, on access of information, whether civic rights are protected, civic centric administration turned in to reality to bring good governance, or not with test study in post demonetisation and actions or reactions of public authorities on complain and grievance redressal after getting information. And make suggestions to overcome the shortcomings in the administrative system so as to better help in achieving the objectives of the Act is especially to bring good governance.

**Keywords - Accountable, transparency, contain corruption, Information, Right to Information, black money, demonetisation, civic rights, civic centric, good governance.**

## I. Introduction

“If liberty and equality, as is thought by some are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.”  
Aristotle

“Democracy is by far the most challenging form of government - both for politicians and for the people. The term democracy comes from the Greek language and means "rule by the (simple) people". It is a form of government where a constitution guarantees basic personal and political rights, fair and free elections, and independent courts of law. Some of the key elements of Democracy are:

- Guarantee of basic Human Rights to every individual person vis-à-vis the state and its authorities as well as vis-à-vis any social groups (especially religious institutions) and vis-à-vis other persons.
- Separation of Powers between the institutions of the state: I.e. parliament, Executive and judiciary
- Freedom of opinion, speech, press and mass media
- Religious liberty
- General and equal right to vote (one person, one vote)
- Good Governance (focus on public interest and absence of corruption)

Democracy therefore emphasises on human rights, freedom of speech and good governance. (Democracy-building, (2004) (<http://www.democracy-building.info/definition-democracy.html>))

“The free flow of information and ideas lies at the heart of the very notion of democracy and is crucial to effective respect for human rights. In the absence of respect for the right to freedom of expression, which includes the right to seek, receive and impart information and ideas, it is not possible to exercise the right to vote, human rights abuses take place in secret, and there is no way to expose corrupt, inefficient government”. (Mendel Toby, 2008)

In democratic polity "information" is power. There is really no meaningful value in the right to choose the government through adult franchise unless citizens enjoy what Amartya Sen calls "transparency freedom" which is an important part of five freedoms identified by him. The right to information is the cornerstone of the fundamental edifice of freedom and choice without which democratic government loses all its charm and significance. Further as pointed out by Mukhopadhyay "Informed citizenry is an asset of democratic governance. It is not to mean merely a system of holding sporadic exercise of voting but is to function as a political system of continuous reflection of people's preference on public policies. Full access to information regard to policy formulation and implementation as a whole is absolutely necessary. (Mukhopadhyay, 2009)

In the functioning of the government in most countries, especially in the Third world countries including India, the prevailing administrative culture, despite formal independence and rhetoric of popular sovereignty, is basically secrecy-oriented. The ruling system is reluctant to share the public governance or the affairs of public administration with citizen or people at large and prevent people from access of information which is an essential element of expression to raise voice against injustice. Max Weber correctly diagnosed that the government bureaucracy thrives on secrecy.

Considering United Nations charter, international developments on access of information and importance of transparency act, India also adopted the Right to Information Act (RTI) in 2005. The objectives of the Act are: Transparency, accountability, to contain corruption and to hold accountable government and its instrumentalities to the governed..

During 12 the years of implementation of RTI act in India number of directions, instructions and orders are issued by different authorities to strengthen proactive disclosure under RTI Act, and many public authorities have published it also. Apart from that in number of cases information commissions have directed public authorities/public information officers to provide the information to applicant. In some cases applicants received the information on such direction, in some cases still they are deprived of it. There are instances where applicants after having received the information sought have represented before concerned authorities to take necessary actions if lapses, wrong doing, decisions taken which deviate from legal frame work or illegal work, omission or commission, action or inactions are found. The question is whether such actions are being initiated or not?

It is equally of utmost importance that in Post RTI regime some of the information available proactively or as a part put in public domain. The question arises is whether decision taken by authorities is in consonance with actual facts and reality like availability infrastructure, impact likely to be on affected people, hardships going cause to the citizen and the important one indeed decision taken or likely to be taken are civic centric, holding government and its instrumentalities accountable to the governed, protecting civic rights with bringing good governance which is ultimate goal of RTI.

According to Section 2(h) and (j) of the RTI Act information materially held and or under the control of public authorities has to be provided. Further, the Act provides to seek information, extract notes, take certified copies, and inspect records, take sample including information in E Form. But RTI Act is limited to access of information. Grievance redressal is not within the ambit of transparency law.

But looking to the aim and objectives of RTI Act and characteristics of democracy, ultimate goal of RTI is to bring good governance. So, if, the information received can't be used for rectifying wrong doing, such information become meaningless and merely a piece of paper. Pertinent question therefore is whether access of information can be used to better the functioning of public administration so as to bring good governance.

## **II. Good governance concept and essential elements**

Governance encompasses the collectiveness of the state, government, market and community. As a global phenomenon the concept of good governance has also gained prominence. While government is much narrower in scope which refers to fixed agency or department, governance is broader in nature, As Rosenau (1992) explains –

Governance is the wider term and government is one of the actors in governance according to Oxford dictionary

The idea of good governance embraces various aspects of a civil society. Governance includes the capacity of government to design formulate and implement policies which are development oriented and committed to improvement of quality of life of the people. It also refers to the capacity of government and bureaucracy to cope up with emerging challenges of the society. Good governance also refers to the ability to deliver goods to various stake holders by making the various agents of political system work for betterment of citizens especially the marginalized section of the society. Elimination of mal governance/ miss governance through the process of rule of law is another aspect of good governance. Good governance is a phenomenon that depends on the efficient functioning of executive legislative and judiciary and when each organ of the government performs the tasks assigned with integrity and commitment.

“The American theologian Reinhold Niebuhr wrote, “Man’s capacity for justice makes democracy possible, but man’s inclination to injustice makes democracy necessary”. It has also been said that “democracy is the worst form of government except all those other forms that have been tried from time to time”(Sir Winston Churchill).

That is why our priority in India is to place the citizen at the centre of a modern public administration. This is the idea of Inclusive Government. The concepts of good governance and citizen centric administration are intimately connected. Citizen centricity with the aim of ensuring citizens’ welfare and citizens’ satisfaction is critical for any government, local, state or national; which aims to provide good governance. As has been pointed out in the second administrative reforms commission report, the following are the pre-requisites of citizen centric governance: a) Sound legal framework, b) Robust institutional mechanism for proper implementation of laws and their effective functioning. c) Competent personnel staffing these institutions; and sound personnel management policies. d) Right policies for decentralization, delegation and accountability. Moily Veerappa second administrative reform commission report (1999)

Civic centric initiatives suggested are: a) Re-engineering processes to make governance ‘citizen centric. b) Adoption of Appropriate Modern Technology. c) Right to Information. d) Citizens’ Charters. e) Independent evaluation of services. f) Grievance redressal mechanisms. g) Active citizens’ participation Public-private partnerships. Similarly,

the Commission's Report on e-Governance has made detailed recommendations on how adoption of modern technology preceded by re-engineering of processes can make governance more responsive, transparent and efficient." Karkhanis Nandakumar (2006)

Osborne and Gaibler (1992) has rightly pointed out " we don't want more governments but we want better government" Factors of good governance, Political accountability, Availability of freedom, Law abiding bureaucratic accountability, Information availability transparency, being effective and efficient and cooperation between government and society. To sum up Governance should be SMART - Simple, Morale, Accountable, Responsive and Transparent.

The public management reforms focus on broader concerns over and above efficiency, economy and effectiveness. This includes- Establishing accountability between state and people and treating people not merely as customers or consumers but as citizens who have the right to hold their government accountable for their actions. The World Bank in one of its document in 1989 highlighted the concept of good governance in sub Saharan African context. The World Bank identified four dimensions of good governance-

Public sector management, Accountability, Legal framework for development and Information and transparency Later in 1992 the world Bank's document entitled governance and development said- Good governance is center to creating and sustaining an environment which fosters strong and equitable development and it is an essential complement to sound economic policies. The three aspects of governance enumerated in it are –

The problems faced especially by developing countries in process of governance were highlighted. These include- Improper implementation of laws, Delays in implementation of policies, programmes and projects. lack of clarity about the rules, regulations to be adhered to by the private Entrepreneurs, Absence of effective accounting system and Failure to involve beneficiaries and others affected in the design and Implementation of projects leading to the substantial erosions of sustainability. There is also lack of Bureaucratic accountability, Freedom of information, Transparency Efficient and effective administrative system, Cooperation between government and civil society'

Accountability is the lifeblood of democracy. Openness of governmental operations and a system of holding the civil servants accountable for their actions make democracy real and functional. The major concerns surrounding accountability are: how to apply checks on bureaucratic power, how to exercise supervision over the exercise of power, and how to work out institutional constraints on the bureaucratic power holders. Accountability can be viewed from the perspective of domesticating power. There are three different ways of preventing and redressing the abuse of political power. They are:

Subjecting power to the threat of sanctions, obliging it to be exercised in transparent ways and forcing it, to justify its acts.

In this context, that the World Bank (1992) pinpoints accountability as an essential prerequisite of 'good governance'.

### **Good governance initiative in the Indian Context-**

In India efforts are afoot and have also in some respect gained momentum in the direction of good governance. These include secretariat reorganization committee 1947, Gopal swami Ayenger committee on recognition of government machinery 1949, followed by Gorwala committee 1951, In 1953 on the government of India's request Paul Appleby of Syracuse University, USA submitted two reports on reforms in Indian Administration.

With the nature of administration undergoing a change in 1990 from traditional bureaucratic to responsive, citizen oriented the reforms are also now geared in this direction. Evolving a citizen centered bureaucracy ensuring transparency and right to information, streamlining the public grievances machinery providing for code of ethics and citizens charters are some landmarks in this effort. The 73<sup>rd</sup> and 74<sup>th</sup> constitutional amendments are important reform measures fostering empowerment and participation of people in the governance process.

Based on administrative reform commission, a separate department of administrative reforms was set up in the ministry of Home affairs. Followed by, a department of personnel created in 1970 which was later transformed into full fledged ministry of personnel and training administrative reforms, public grievances, pensions and pensioners welfare.

Several institutions such as central vigilance commission, central bureau of investigation, Lokpal and Lokaayukta have also been created. to strengthen and streamline the administrative machinery. Some of the initiatives undertaken in India are-

Citizen charter- It is formulated by all these public organizations providing different kinds of services to people. Charters are statements that provide information to the general public about the nature of services being provided by that organization, procedure, costs involved, mechanisms for lodging complaints in case the citizens are not satisfied, time taken for their redressal and so on. Grievance or complaint redressal mechanism, Use of information technology for efficient and effective service delivery, Right to information- For access of information towards transparency, accountability, holding government and its instrumentalities accountable to the governed and to contain corruption central Act enacted in 2005 has almost completed a decade of implementation. People's participation- In democracy people's participation in governance is crucial. Three tier Panchayati Raj system, Gram sabha, ward committee, etc are noteworthy steps towards good governance. e Accountability and transparency in context to RTI Act.

### **Accountability:**

Begin with the preamble, it provides to set up practical regime for access of information on the part of public authorities. Simultaneously it narrates objectives of the act pretty clear, which are transparency, accountability, to contain corruption and the most important one, to hold government and its instrumentalities accountable to the governed i.e. citizen/ people at large. Section 2( h) definition of public authority, Section 3 categorically provide that citizen shall have right to information. Thus it is obligatory on the part of public authorities to honour the spirit of the act and make information accessible to citizen. Proactive disclosure under section 4, Section 5 to 7 fix the responsibility of functionaries for time bound disposals. While section 19(8) and 20 put onus on second information commission to award the compensation, to impose penalty on PIO or Deem PIO for delay or

not providing information. Also section 26 mandate states to arrange for awareness of the act in public and imparting training to the functionaries.

## **Transparency**

RTI Act provides to prepare and publish proactive disclosure in 17 manuals consisting of vision, mission, aim and objectives of public authority, its duties, powers of officers, employees, record held by it, Laws, rules followed by it, norms of disposal, channel of supervision, budgetary provisions, list of beneficiaries, concession and permit holders, record in E. Simultaneously act provide under section 25(g) to prepare and submit annual report consisting, recommendations for reform, including recommendations in respect of the particular public authorities, for the development, improvement, modernization, reform or amendment to this Act or other legislation or common law or any other matter relevant for operationalising the right to access information. Of course 17 manual are comprehensive, though it is an exemplary but not an exhaustive.

Thus RTI act provide sufficient measures of accountability and transparency in implementation of the transparency law. Though it would be right place to put the decadal observation and experience on RTI of Chadha Sapna (2009)

“The government and judiciary pose a serious threat to Right to Information Act. The widely prevalent and dangerous trend of resistance to transparency in their functioning by those in power will gradually kill Right to Information Act. Government across the country, irrespective of which party they belong to, follow a pattern of mis-governance. The judiciary on the other side has been granting stays on the orders of the Information Commission; this will eventually kill the Act. Government departments are rushing to court to get stay orders against the decisions of Information Commissions to provide information. Delays in finally deciding the matters destroy the spirit of the Act. Further, the government is flouting all norms in the appointment of Information Commissioners. There is no transparency in the appointment of Information Commissioners. No norms are being followed and Information Commission are being turned into parking lots for favourites of the government of the day. As a result the four year old law to provide information to the common man is under threat of being weakened by the government mindset of amending it for its convenience.”

### **III. Demonetisation and its plausibility**

Much debate is going on in media social media and across country on demonetisation of high value notes in India. Pro and anti groups are also arguing in favour and against the step towards very fact or intentions and objectives of curbing black money and corruption.

In context to Objectives of RTI and characteristics of good governance Whether decision taken is protecting civic rights, civic centric, and to contain corruption to bring good governance, if examined the decision of demonetisation the analysis immersed indicate following scenario.

If conspectus on some statistics on Wikipedia on GDP, Black m money, corruption, amount estimated in Swiss bank, income inequalities, billionaire in India, agriculture income and per capita income of GDP, labour force in unorganised sectors, cash less countries of world, number of bank branches and post offices, ATM and villages in India percentage of

debit and credit card holders in India and amount of transactions done the rational or plausibility of step may be postulated asserted or refuted and contemplated..

Total GDP of the country is estimated to the tune of Rs 150 lakh crore and 20% of it are estimated as black money i./e. to the tune of Rs 30 lakh crores. High denomination notes considered as 86% of total currency which come out 14 lakh crore. Looking to more than 60% rural economy , 93% unorganised sectors all these high denomination notes does not seems plausible to believed as black money. It is no be noted that until 30<sup>th</sup> November more than 9.9 lakh crore high denomination currencies have already been deposited in banks, while around 2.33 lakh crores are paid in new currency notes to the people. Simultaneously out of total around 26 crore Jan Dhan account on 8<sup>th</sup> November around 5.9 crore accounts are with zero balance, while in rest account the deposit on 9<sup>th</sup> November as 46 thousand crore which is increased to 74 thousand crore on last day of November thus increase of 27 thousand crore in less than three week. Which may be up to 2.5 lakh income tax ceiling to avoid any legal actions.

Total around 50% of the work force is engaged in agriculture sector, while average 60 % to 65 % population is being nurture and nourished on agriculture. Total more than six lakhs villages are there in India and almost 65% of the population are rural habitants. It means out of total 30 lakh crore 21 lakh crore which is agriculture income not taxable may not fall within the ambit of black money but due to non availability infrastructure their transactions are in cash. 67 % of urban population and 54% of rural population are having bank access. Thus if counted Agriculture income is projected 14% of GDP means around 21 lakh crore which is not taxable in India and 50% of them having banking access 11.5 lakh crore currency belongs to rural, agriculture or unorganised sector which deducted from 14 lakh crore remaining amount come out merely 2.5 lakh crore of high denomination notes. If compared the same with total 20% of GDP as black money, it indicate that money explicitly not declared as taxable or legal earned, are believed in other than cash like real estate, jewellery precious metal etc.

As estimated by agencies like IMF and World Bank in India 198 000 people are with very high net worth more than 7 crore value, believed as billionaire. The total net worth come out or projected Rs. 54,95,000 crore. Against this, 1465 billion dollar black money is estimated as stashed in Swiss banks or abroad which come out 99 lakh crore rupees.

Now question is our priority should be 2.5 lakh crore or 16 lakh crore or 99 lakh crores stashed in abroad banks.

As reported in media in post demonetised period of near to one month, more than 82 people died while standing in queue either to deposit the cancelled high denomination notes in to the bank, or to exchange with new notes or even some where to withdraw own hard money deposited in banks, or salaries/ pensioners to get salary or pension credited in bank. Some senior citizen or old age persons are amongst them. It is also pertinent to note that the people queue up to withdraw own money were not allowed to withdraw the amount as desired by them but different ceiling was made by RBI /GOI at different period of time like 20 thousand or twenty four thousand per week and even they were not getting half of it to maintain their means of livelihood or many daily wage earners, hawkers and farmers vegetable vendors to run their petty trade to earn daily bread. During four week of post demonetisation more than dozen notifications are issued, indicates frequent change of decisions.



If academically discussed constitutional provisions of India article 21 rights to life and liberty allow every citizen to live life as S/he wishes. Simultaneously constitution also provide to put reasonable restriction on fundamental rights in case of emergency declared by president of India either economic or internal or external security threat. It is also important to note that at least in 2016 no such order, ordinance or notification issued so far. Under the circumstances if they are prevented from withdrawing their own hard earned money it is undoubtedly debatable whether it may fall within the deprivation of fundamental right of life and liberty. Of course couple of writ petitions/ PIL are admitted in high courts and supreme court with the same issue and in due course judicial verdict will decide the matter.

Important question crop up is should we target 128 crore population or less than two lakh or the root cause of corruption where it is believed or estimated in the survey by transparency international that annually Rs. 3 lakh crore bribe is paid in India which are cumulative black money circulated as such. And to prevent it's generation by modernise, technological up gradation and reforms in various licence, permit Raj or inspector Raj existing system. i.e. If while issuing VAT, Shop licence, Professional tax enrolment, Service tax or other direct, indirect tax business, factory, industry labour licence clause may be added to have system of cashless transaction. Of course looking to federal structural of governance under the constitution consent of more than 50% states will become essential requirement to amend such acts where in it falls in state or concurrent list before an act of parliament and state.

People are talking of cash less transactions and giving examples of European or Scandinavian countries like Sweden, Norway Denmark, France, African country like Ghana, etc for it. These are very small or tiny countries many less than the size and population of our one state like one big city or district of or state of Gujarat. If looked at our infrastructures. we have as of 2016 total bank branches 1 lakh two thousand around, while 11500 numbers of ATM out of which 37 % are in rural area means only one third in rural area having two third of total population residing. We have total 155000 post offices in India amongst more than six lakhs villages Total number of credit cards are 2.5 crore around while debit card 66 crores. Transactions in debit and credit cards less than 14000 crores and 23000 crore, total less than 37000 crore which is merely 0.3% of total GDP. If contemplated out of 32 crore families almost two third seem out of reach of banking or postal access. 21 % of urban and 11 % rural population have net access or net user means less than one third of total population. While out of more than one billion mobile/ phone users 68 crores people identifies as independent users. Out of it only around 30% i.e. less than one third are having smart phone features rest ordinary phone which may be hindrance for mobile wallet usage. It is also note worth that in recent past 6 lakh debit card of SBI had to cancelled due to hacking to issue fresh. So Prevention of cyber crime is the biggest challenge in this regard.

Rating agencies like Moody, and Fitch have also forecast that Indian GDP will be reduced to around six percent in post demonetisation period in current year, especially during two quarters it will have negative impact. Similar reaction is given by Ex. P.M and eminent economist, Ex, Governor of RBI who is credited with liberalisation and free economy in India with late P.M Narsinh Rao, while speaking in Rajy Sabha he specifically mentioned that GDP of India may go down by two percent.

Corruption index listed by Transparency International of 2013 and 2015 ranked India 94 and 76 in the list of more than 178 countries. As estimated by transparency international in on an average more than 40 % of Indian people resort to corruption to the tune of Rs. more than 5500 per person. If looked at the data out of total 128 crores of population, its 40% come out more than 51 crore and at the given data total amount of bribe derive to the tune of Rs. Around 3 lakh crore. Thus it is assumed that this much amount of black money are generated annually.

Similarly if discussed the details or information received from different authority like Surat municipal corporation, Urban development department, Gujarat and such other either proactively or under RTI and when aggrieved represented to redress the grievance or rectify wrong doing worth pondering facts immersed.

Surat municipal corporation (SMC) is public authority. Statute provide for recruitment of post of deputy and Assistant municipal commissioners. In 2011 and 2015 selection committee of corporation consisting of all political members took interview of the candidates from amongst the list prepared and sent by municipal commissioner as prepared by recruitment section. As per complain of registered union and it's Advocate before interview of the candidates they complained to all the authorities of corporation as well as urban development department of the State regarding plural marriage bigamy of one of the candidate called for interview who happens to be municipal officer. Complainant union also enclosed Compliance report submitted by vigilance department of SMC to State of Gujarat urban development department Gujarat in support of claim. Service conduct rules 1971 and circular of the State as well as municipal rules 1965 provide in such case it is unbecoming of employee mean out of employment. Complainant sought all information under RTI as well as obtained from websites of SMC, Election commissions like voters card, election voters list, birth certificates of children having two mothers but same father, though all authorities ignored, neglected intentionally and employee who deserve dismissal as municipal employee selected and appointed as Asst. municipal commissioner.

Similarly in 2015 candidates where called on for the interview for the post of deputy municipal commissioner. Couple of petitions were admitted in Gujarat high court including the scrutiny, qualification and list of qualifying candidates. It is also note worthy that the candidate to whom sexual harassment prevention and grievance redressal internal committee had implicated as HOD to connive and failed to prevent the occurrence with victim woman, pending petitions of victim woman before High court and direction by court to lodge FIR against accuse, candidate in dispute as well as the candidate who is accused previously of plural marriage with evidence were again selected as deputy municipal commissioner. Even one of the candidate and strong contender having multi faceted, multi dimensional track record of ublic administration and governance on availing and collection the evidence either under RTI or from the web site concerned represented in writing objecting selection and not to appoint or revoke appointment falls on deaf year. Petitions in this regard are pending with High court to decide the matter on merit in due course.

GPMC Act also provides that it is incumbent on part of commissioner to prepare list of the candidates in order of merit with scrutiny of qualified candidates. Simultaneously if selection committee deviate from statute or rules it is responsibility of General board who is appointing authority to disapprove or revoke such appointment and section 451 of the act also provide that if board fails commissioner is duty bound to send proposal to state government

to revoke resolution of the board . State is also empowered to reject and revoke such appointment under section 45 of the act including invoking section 452 of the act to issue notice of supersession to urban local body. But even though these facts nothing improved except direction by state to inquire and take action to commissioner by letter which is not obeyed scrupulously.

#### **IV. Conclusion**

If analysed the facts of both situation contemplation immersed is:

Under the circumstances, if decision of demonetisation is logical, than logic of introducing again high value notes of double denomination is also debatable. What is the guarantee of not repetition of black money?

It is also pertinent to note that in post demonetization period of four week incidents of corruption, ACB cases have also been reported with new high denomination currency. Some instances caught with crores of rupees by police and Income tax authorities of old as well as new high denomination currencies during this period are worth pondering towards very objective of eliminating corruption.

Pertinent to note that after all implementation of any scheme of curbing black money is to be implemented by bureaucracy, which is described by Thomas Carlyle, the Scottish philosopher as continental nuisance. While Our Freedom fighters, First P.M Nehru and Deputy P.M Sardar patel described it as steel frame. Under the circumstances we will have to understand the root cause of corruption i.e. nexus of bureaucracy, politician, guns and business tycoon.

Thus, the statistics, facts and rationale rather than supporting, narrate different story. Citizens suffering do not prove decisions taken civic centric or citizens' rights are protected. Though of having enough information of infrastructures, system, usage by people decision taken do not in consonance with reality.

Democracy requires stock holders participation especially of the affected people but fact describes different.

Law is mandatory to have legal provision to enforce the decision especially in case of reasonable restrictions on fundamental rights. Records do not show such thing until.

Law say though 100 culprit may got scot free no one innocent should be punished. Here at the cost of few corrupt, nexus of politics, criminals, corrupt and bureaucrats or System failure compelled to suffer more than a billion citizens to put themselves in hapless and helpless situation.

Fetching 86% currency and payment restriction allowed only one fifth in circulation crippled the economy for the time being especially daily wage earners, unorganised sector labour force.

All these observation certainly corroborate the lack of accountability and to hold governments and it's instrumentalities to the governed and to contain corruption.

In second case, even though of having all evidence and sufficient ground on the part of SMC decision maker's procrastination, indecisiveness indicate reluctance of authority to set right wrong doing. Which is harming, the very objectives of RTI to have accountability and contain corruption.

## V. Suggestions

Some of the steps needed before implementing the scheme.

If to resort demonetisation which is an extreme step, prior to implementation more small denomination currency at least before a month might have put in circulation to mitigate the suffering. More ATM to deposit cancelled currency might have been activated to facilitate people.

With prior planning people and administration and market needed first to encourage and switched as much possible as more towards cash less transaction with massive infrastructure of digital governance, E. Transaction with awareness, literacy and incentives as well as compulsion to minimise the suffering on demonetisation. Simultaneously focus on massive digital infrastructure with privacy protection and cyber crime prevention is of utmost necessity.

Some social security scheme, welfare schemes, health and insurance schemes might have been selected as pilot project for the same to switch over o cash less system. Registered medical practitioners, professional practitioners like C.A, Cost and work Accountant, C.S, Advocates tax consultants, School, colleges, professional classless etc. etc might have been enforced to install swiping machines for cash less transactions.

Currency printing capacity with advance planning needed to multiply to put more new currency to keep going on economy and day to day transaction of the people.

With the declaration of demonetisation all the banks and financial institutions might have been authorised to accept due or advance instalments of housing loans, car/ vehicle loans, or other fixed/ immovable and movable asset instalments. This might have erase the avoidable rush, reduced the queue and NPA of the banks might have also been reduced to give impetus to economy.

To fulfil the objectives of the transparency law, along with citizen charter prompt action needed to rederss the grievances also to bring accountability and to contain corruption. As rightly quoted in spiritual and Holy book The GITA,

“whatever action a great man performs, common men follow and whatever standards he sets by exemplary acts, all the world pursues. It is further stated in the Gita “यथो धमतः िथो जयः” meaning “where there is Dharma there is victory” or, in other words, success goes hand in hand with righteousness. III Karmayoga Shloka (21)

Chanakya also, in his celebrated discourse “Arthashashtra,” emphasized that the Dharma Sukti is applicable to both, a ruler and the common man. It is necessary to follow Dharma in all walks of human life.

Therefore, if we have a dedicated bureaucracy with transparency, accountability and responsiveness, then they will provide a good leadership and good governance. This is ultimate aim of the transparency Act.

To eradicate the black money, nepotism, favouritism, manipulation and corrupt practice we should eradicate the corruption and it is possible only through transparency, accountability, right person on right job with honesty and integrity having civil society inspection and audit, key decisions taken post debate in GRAM SABHA or ward committee ant ratified by district planning metropolitan committee under article 243, having right to citizen public service act. Citizen charters like acts and independent authorities like LOKAAYUKTA and LOKPAL, to prosecute immediately the culprit to bring the good governance in true spirit.

## VI. References

1. Act RTI 2005 & Rules RTI Gujarat 2005 & RTI Rules Gujarat 2010 [Www.gujaratindia.com](http://www.gujaratindia.com)
2. "Administrative theory", IGNOU, ISBN 81-266-1999-6
3. [Analysing the Right to Information Act in India.pdf](http://www.cutsinternational.org/cart/pdf/Analysing_the_Right_to_Information_Act_in_India.pdf), <http://www.cutsinternational.org/cart/pdf/>
4. Agarwal H. O. (2006) "Human Rights, 9th ed." By - Central Law Publications, Allahabad
5. Bhavsar Hirnesh blog (2015)
6. Chadha Sapna, (2009) right to information, Indian journal of public administration vol. lv, no. 3.july.september
7. Complaint letter by victim woman employee dated 15<sup>th</sup> June 2015 complaining sexual harassment and requesting action.
8. complain submitted by advocate on behalf of union
9. Dhaka Rajvir S (2009) "right to information act and good governance" Indian journal of public administration vol. lv, no. 3.july.september
10. "E-governance", IGNOU, ISBN 81-266-2479-5
11. FIR No. I 25/16 Date 23/09/2016 Surat city Lalgate police station
12. Gujarat provincial municipal corporation Act 2015 (amended BMC act 1949)
13. Gujarat state circulars Dated 16<sup>th</sup> October 1986 bearing No. GCGAD- DPE-1086-1081 INQ.CELL declaring maître karar as illegal for employee of state.
14. Karkhanis Nandakumar (2006) "Right to Information Act" By -Vivekanand Prakashan, Pune,.
15. Karmayoga Shloka III (21) Bhagavad GITA
16. Moily M.Veerappa (2009) government of India second administrative reforms commission twelfth report "citizen centric administration the heart of governance." [http://arc.gov.in/arc\\_12th\\_report/arc\\_12th\\_Report.htm](http://arc.gov.in/arc_12th_report/arc_12th_Report.htm)  
Dt19/10/2015([http://www.delhi.gov.in/wps/wcm/connect/doi\\_ar/Administrative+Reforms/Home/Presentations+and+Workshops](http://www.delhi.gov.in/wps/wcm/connect/doi_ar/Administrative+Reforms/Home/Presentations+and+Workshops) 19october 2015)
17. News report published in times of India Dated 5<sup>th</sup> December 16

18. Oral order by Honourable Gujarat High court in Special civil application No 2780 of 2016 and special criminal application No. 3995 of 2016
19. Prasad D. Ravindra, Administrative thinkers, sterling publishers' pvt. Ltd., New Delhi. ISBN 9788120754140
20. Report submitted by internal committee under sexual harassment prevention prohibition and redressal act 2013 of SMC Dated 19<sup>th</sup> May 2016availed under Right to information act by applicant and victim.
21. Sexual harassment prevention prohibition and redressal Act 2013
22. Sharma M.P., Public administration – in theory &practice, kitab mahal, Allahabad, ISBN 81-225-0003-X
23. Special civil application No. 10991 of 2014 filed by petitioner Kishor Rana and others versus SMC and State of Gujarat
24. Special civil application No. 13460 of 2016 filed by petitioner Keshav vaishnav and others versus SMC and State of Gujarat
25. State society & public administration” IGNOU, ISBN 81-266-2143-5
26. Submission to state of Gujarat urban development department, by applicant dated 18<sup>th</sup> August 2016Letter by UDD Gujarat state Dated 3<sup>rd</sup> September 2016 addressed to municipal commissioner to inquire and initiate actions and to reply applicant.
27. Surat municipal rules 1965
28. <http://www.brainyquote.com/quotes/quotes/r/robinmorga271953.html> 06th May 2016
29. [https://en.wikipedia.org/wiki/India\\_Posts](https://en.wikipedia.org/wiki/India_Posts)
30. [https://en.wikipedia.org/wiki/Income\\_inequality\\_in\\_India](https://en.wikipedia.org/wiki/Income_inequality_in_India)
31. <http://economictimes.indiatimes.com/news/economy/indicators/indias-per-capita-income-rises-7-4-to-rs-93293/articleshow/52524152.cms>
32. [https://en.wikipedia.org/wiki/Corruption\\_in\\_India](https://en.wikipedia.org/wiki/Corruption_in_India) Transparency ORG. (2013 and 2015),
33. [https://en.wikipedia.org/wiki/List\\_of\\_banks\\_in\\_India](https://en.wikipedia.org/wiki/List_of_banks_in_India) Dated 23rd November 2016
34. [http://www.firstpost.com/printpage.php?idno=3122878&sr\\_no=0](http://www.firstpost.com/printpage.php?idno=3122878&sr_no=0) 3<sup>rd</sup> December 16
35. <http://indiatoday.intoday.in/story/cashless-countries-belgium-denmark-uk-france-kenya-black-money/1/812384.html>
36. <https://in.news.yahoo.com/demonetisation-death-toll-82-people-081555040.html> 3rd december 16
37. <http://www.gktoday.in/blog/scheduled-commercial-banks-of-india/>
38. <http://indianexpress.com/article/business/economy/ambit-capital-black-economy-shrinking-pegged-at-20-per-cent-of-gdp-2835783/>
39. <http://www.forbes.com/sites/greatspeculations/2016/11/29/demonetization-will-impact-amazons-growth-in-india/#6d99cecd1de4>
40. <http://profile.nus.edu.sg/fass/polhaque/atp.pdf-least-quotation> 7th May 2016  
<http://www.medianama.com/2016/06/223-india-has-24-5m-credit-cards-661-8m-debit-cards-in-march-2016/>
41. <http://www.totalpayments.org/2013/07/08/top-5-cashless-countries/>
42. [http://arc.gov.in/arc\\_12th\\_report/arc\\_12th\\_Report.pdf](http://arc.gov.in/arc_12th_report/arc_12th_Report.pdf)
43. <http://unpan1.un.org/intradoc/groups/public/documents/cgg/unpan045780.pdf>

44. [http://www.academia.edu/9270655/CHALLENGES\\_OF\\_SUSTAINABLE\\_DEVELOPMENT\\_GOVERNANCE\\_IN\\_AFRICA](http://www.academia.edu/9270655/CHALLENGES_OF_SUSTAINABLE_DEVELOPMENT_GOVERNANCE_IN_AFRICA)
45. [http://ibsa.nic.in/cgg\\_cce\\_knowledge\\_resource.htm](http://ibsa.nic.in/cgg_cce_knowledge_resource.htm)
46. <http://khmerwe.blogspot.com/2014/11/civilian-oversight-of-police-in-nigeria.html>
47. <https://www.researchgate.net/publication/228159945> **Why Big Government is Good Government**
48. <http://www.lawteacher.net/free-law-essays/constitutional-law/democracy-does-not-merely-mean-majority-rule-constitutional-law-essay.php>
49. <http://www.thepetitionsite.com/597/198/048/we-want-a-real-democracy/>
50. [https://www.researchgate.net/profile/Magda\\_Petrijanosova/publication/240797556](https://www.researchgate.net/profile/Magda_Petrijanosova/publication/240797556) **Freedom of Religion Institution of Conscientious Objection and Political Practice in Post-Communist Slovakia 1/links/56a0c89908ae2c638ebd8812.pdf**
51. [http://indiagovernance.gov.in/files/citizen\\_centric\\_administration.pdf](http://indiagovernance.gov.in/files/citizen_centric_administration.pdf)

