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**ABSTRACT**

The present study evaluates the uses of Right to Information Act, 2005 from the point of view of media professionals in Karnataka state. The media institutions provide a platform that enables government functionaries to operate efficiently, effectively and transparently and be accountable to the public who are the makers of democracy. Right to information is one of the core values of good governance and the media can make a real difference to the lives of poor and disadvantaged people in a civil society. The review of literature confirms the fact that not even a single study is carried out in India on the use of right to information by the members of the fourth estate in Karnataka state. The present study was carried out on the basis of systematic survey research method. The study reveals that right to information facilitated early access to information to the media professionals. The media professionals have also gained adequate advantages from the use of Right to Information Act, 2005. The study suggests that the best practices should be used to establish good rapport between the information seekers and information providers. The study also emphasizes that the government should also further put in place measures to promote openness and a culture of disclosure of information in government institutions on the basis of positive attitude and behavioral patterns of the officials.

## Preamble

The democracy is regarded as the people – oriented system of governance. It has to be built on the foundation of informed, enlightened and empowered citizens. Democracy becomes vibrant if the people assert their rights and privileges on the basis of their awareness about constitutional provisions, human rights and developmental opportunities. Information is a resource and instrument which facilitates active participation of people in the process of development. The world has witnessed a great movement for right to information since it contains the statutory provisions for the effective implementation of the informative aspects of democratic form of governance. The spirit of Universal Declaration of Human Rights, 1948, Preamble of the Constitution of India and Article 19(1)(a) emphasize the freedom of speech and expression. The Constitution provides the freedom of expression because the government functions must be transparent, accountable and responsible in a civil society. The right to information is intrinsic part of fundamental right to free speech and expression. The Government of India enacted the Right to Information Act, 2005 in response to long drawn civil movement in the post – independence era. The present study evaluates the uses of Right to Information Act, 2005 from the point of view of media professionals in Karnataka state.

## Right to Information Act, 2005

People have a fundamental right to information in a democracy. Right to information is an effective instrument of good governance. There is a well established relationship between right to information and good governance. This has been substantiated by James Madison (1822) thus: “A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce, or a Tragedy; or, perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own Governors must arm themselves with the power which knowledge gives”. The right to freedom of information has been recognized as a fundamental right in about 50 countries across the world. These nations are joined by a growing number of inter-Governmental bodies – including the World Bank, European Union and UNDP – that have established FOI policies.

Daruwala (2005:04) emphasizes the RTI Act in India thus: “With the enactment of the national right to information law, there will be a change of culture in the country. The new bill will fundamentally change the power relationship between the citizens and the government. There will be a change in attitude from being .subjects to citizens. The Bill when it becomes an Act will help us to move towards good governance in the country. There will be a shift from the culture of secrecy to a culture of openness. This Act would send a strong signal to the political elite that things must change. The media should play the role of providing information support to the people to secure rights, development and good governance. The role of the media is to write about RTI in an educated manner. The media could also use this Act to access information from the government and enable the large majority of people to procure the benefits of development programmes in India.

## RTI and Media Professionals

The media institutions provide a platform that enables government functionaries to operate efficiently, effectively and transparently and be accountable to the public who are the makers of democracy. Right to information is one of the core values of good governance and the media can make a real difference to the lives of poor and disadvantaged people in a civil society. The functions of media are identified by the scholars in their speeches and writings. Prominent among them include:

- Making people more aware of their rights and entitlements,
- Enabling people to have access to government programmes, schemes and benefits,

- Making people more aware of political issues and options,
- Helping to stimulate debate, educating the public on social, economic and environmental issues,
- Drawing attention to institutional failings – corruption, fraud, waste, inefficiency, cronyism, nepotism, abuse of power and the like,
- Fostering exchange of best practices, knowledge resources, access to better technology and to better choices,
- Creating pressure for improved government performance, accountability and quality, for example in service delivery; and
- Providing a discursive space for citizens to dialogue with other actors in the governance process.

Justice Sawant (2005:15) emphasizes the relationship between RTI Act and media thus: “But as a matter of a legally accessible right, the media and ordinary citizens have equal access to information under the act. This is provided for in the Constitution in the form of Right to Equality (Article 14). The media is the prime beneficiary of RTI as media personnel have the time to pursue information, use it and take it to its logical conclusion. The role was to function as a constructive opposition in a democracy and not as an adversary of Government. The media personnel must oppose what is bad and also suggest changes for improvement since the political opposition has not played this role, as they fear losing votes. The independent institutions like the media (though, the media may not be independent in all cases) can play an important and constructive role in the long-term well being of the nation and is the only entity within the state equipped to play such a role. With the right to information on their side, the media need no longer depend on questionable sources of information, and can use RTI Act to access credible and authentic information. This legislation is a powerful tool in the hands of the media to get the required information within a definite time period by applying for it. The right to information heralds a new age of investigative and authentic journalism in India.

Studies have revealed that the objective of the Act to usher in a practical regime of right to information cannot be attained without a proactive role played by the media. They have reported that media can monitor the implementation of various development projects, investigate the corrupt practices, sensitize the stakeholders of development, persuade the social activists to fight against injustice and empower the marginalized sections of society. The media can access the information and prepare grounds for democratic struggle for good governance in modern society.

## Review of Literature

The scholars have examined the role of media in the promotion of right to information and reported that the media had not played a pro-active role as the angel guardian of public interest due to several in-built constraints and system failures. The review of literature clearly indicates that adequate investigations are not carried out across the globe on the role of media in the dissemination of success stories of RTI activists who fought for the rights of the people. Prominent studies carried out on this subject include - Niranjan (2005:12), Centre for Good Governance (2006:02), Roberts (2006:14), Baviskar (2008:01), Kulkarni (2008:10), Mendel (2009:11), Desai (2010:05), Srivastava and Manzar (2011:17), Dwivedi (2012:06), Gatty (2012:07), Chitra and Neelamalar (2013:03), Shilpa (2013:16), Varun (2013:19), Qureshi (2014:13), Surie and Aiyar (2014:18), **Guru et.al (2015:08) and Guru et.al (2015:09)**. The review of literature confirms the fact that not even a single study is carried out in India on the use of right to information by the members of the fourth estate in Karnataka state.

## Significance of the Study

The right to information is commonly understood as the 'right to access information held by public bodies' in international parlance. It was adopted by 13 countries in 1990. The number of countries which have recognized the right to information as an instrument of good governance has risen consistently over a period of time. The inter-governmental organizations, multilateral development banks and other international financial institutions have recognized the right to information. These institutions have also adopted information disclosure policies since the right to information was seen predominantly as an administrative governance reform across the globe. In the present times, the right to information is duly recognized as a fundamental human right of the people. The media also realized the significance of right to information from the points of view of good governance and judicious development in India. A majority of the scientific investigations are carried out in abroad on various aspects of right to information. Couple of investigations is also carried out in India about the right to information and role of media. Surprisingly, not even a single scientific investigation is carried out in India on the use of right to information by the media professionals. Hence, the present investigation 'Use of Right to Information by Media Professionals: An Analytical Study' assumes profound significance in the present times.

## Objectives of the Study

The present study was carried out on the basis of the following specific objectives. They include:

1. To assess the awareness among the media professionals about the constitutional and legal framework for accessing information.
2. To analyze the attitude of the media professionals about the RTI Act in India,
3. To examine the use of RTI Act by the media professionals as members of fourth estate,
4. To evaluate the complexities of obtaining information through RTI Act by the media professionals; and
5. To explore the possibilities of using RTI provisions to secure information related to the work areas of media professionals by showcasing examples from other states in India.

## Research Methodology

The present study was carried out on the basis of systematic survey research method. A structured and pre-tested interview schedule was administered to the media professionals of Karnataka state. The respondents were selected from all the four revenue divisions of Karnataka state namely-Bangaluru Division, Mysuru Division, Kalburgi Division and Belgaum. The primary data were gathered from 414 respondents consisting of reporters, correspondents, freelancers and columnists of Karnataka state. The interview schedule was designed to explore the understanding of the respondents have about the use of right to information for day to day media management in the age of right to information.

## Distribution of Study Area and Sample

| Sl. No.      | Revenue Divisions | Number of Respondents | %     |
|--------------|-------------------|-----------------------|-------|
| 1.           | Bangaluru         | 134                   | 32.37 |
| 2.           | Mysuru            | 108                   | 26.09 |
| 3.           | Kalburgi          | 47                    | 11.35 |
| 4.           | Belgaum           | 125                   | 30.19 |
| <b>Total</b> |                   | 414                   | 100   |

n = 414

## Major Findings of the Study

- There were a majority of male respondents (83.09%), 28-37 years old respondents (50.97%), graduates and post graduates (63.77%), professional media persons (87.68%) and Bengaluru and Belgaum based media professionals (62.56%) respectively among the study sample.
- A majority of the respondents (69.57%) have stated that right to information law was simple and facilitates proper use of law by the media professionals.
- A majority of the respondents (72.95%) have stated that right to information facilitated early access to information to the media professionals.
- A majority of the respondents (65.70%) have stated that right to information made the government information as intellectual properties of people.
- A majority of the respondents (75.12%) have stated that right to information enabled the media professionals to safeguard democracy.
- A majority of the respondents (77.29%) have stated that right to information enabled the media professionals to protect the fundamental rights of the people.
- A majority of the respondents (76.33%) have stated that right to information enabled the media professionals to prevent corruption in the name of development.
- A majority of the respondents (73.91%) have stated that right to information enabled the media professionals to create development oriented awareness among the people.
- A majority of the respondents (68.60%) have stated that right to information enabled the media professionals to enlist active participation of the people in public administration.
- A majority of the respondents (76.81%) have stated that right to information enabled the media professionals to ensure transparency in public administration.
- A majority of the respondents (74.64%) have stated that right to information enabled the media professionals to make the elected the representatives and officials function in a responsible way.
- A majority of the respondents (67.39%) have stated that right to information enabled the media professionals to increase the accountability of public administrators.
- A majority of the respondents (76.57%) have stated that right to information enabled the media professionals to fight against corruption.
- A majority of the respondents (62.08%) have stated that right to information enabled the media professionals to work for the inclusive development of women and weaker sections.
- A majority of the respondents (65.70%) have stated that right to information enabled the media professionals to motivate people to fight for their constitutional rights.
- A majority of the respondents (70.29%) have stated that right to information enabled the media professionals to motivate the people to participate actively in development programmes.
- A majority of the respondents (59.18%) have stated that right to information enabled the media professionals to check the exploitative tendencies of public administrators.
- A majority of the respondents (70.77%) have stated that right to information enabled the media professionals to bridge the gap between government and people.
- A majority of the respondents (58.45%) have stated that right to information enabled the media professionals to develop rapport between development projects and beneficiaries.
- A majority of the respondents (64.25%) have stated that right to information enabled the media professionals to motivate the public administrators to protect the human rights.
- A majority of the respondents (65.94%) have stated that right to information enabled the media professionals to motivate public administrators to abide by the principles of good governance.

- A majority of the respondents (70.29%) have stated that right to information enabled the media professionals to prevent political interference in public affairs.
- A majority of the respondents (70.05%) have stated that right to information enabled the media professionals to fight against injustices to the people.
- A majority of the respondents (72.95%) have stated that right to information enabled the media professionals to fight against the abuse of power.
- A majority of the respondents (62.32%) have stated that right to information enabled the media professionals to work for the equal rights and opportunities to the people.
- A majority of the respondents (77.05%) have stated that right to information enabled the media professionals to motivate the people avail the benefits of government projects in the right time.
- A majority of the respondents (64.98%) have stated that right to information enabled the media professionals to prevent the exploitative tendencies of vested interests.
- A majority of the respondents (71.74%) have stated that right to information enabled the media professionals to facilitate timely redressal of public grievances.
- A majority of the respondents (69.32%) have stated that right to information enabled the media professionals to facilitate timely disposal of files and works.
- A majority of the respondents (66.91%) have stated that right to information enabled the media professionals to expedite legal and administrative procedures and formalities.
- A majority of the respondents (63.77%) have stated that right to information enabled the media professionals to ensure timely implementation of administrative and developmental activities.

### Testing of Hypothesis

*H1. The media professionals have not gained absolute awareness about Right to Information Act, 2005.*

The data presented in the thesis clearly reveal that the media professionals have gained absolute awareness about the Right to Information Act, 2005. Hence, the hypothesis stands disproved according to the data analysis.

*H2. The media professionals have not gained adequate advantages from the use of Right to Information Act, 2005.*

The data presented in the thesis clearly reveal that the media professionals have gained adequate advantages from the use of Right to Information Act, 2005. Hence, the hypothesis stands disproved according to the data analysis.

### Limitations of the Study

It was not practically possible for the researcher to contact all the media professionals of Karnataka state to obtain the primary data on the use of right to information act. It was not practically possible to contact all the stakeholders of right to information due to lack of time. The usual limitations of the survey method such as time, human inadequacies, resource constraints, recollection and communication were experienced by the researcher. Incidental, purposive and stratified sampling methods were followed in selecting the respondents. Though much care has been taken to collect the primary data, the memory bias on the part of the respondents cannot be completely ruled out.



## Implications of the Study

The right to information is used by various stakeholders across the country to access information from the government agencies and expedites the process of development. A national level agency to oversee facilitation on RTI for both supply and demand side requirements should be established to facilitate timely flow of information from the government to the society. The information seekers are required to gain the familiarity with the legal provisions and practical mechanisms. The best practices should be used to establish good rapport between the information seekers and information providers. These practices should be used as guidelines because each information requirement varies greatly from any other and cannot be obtained by using common parameters and methodologies.

The central and state level information commissions should be managed by the information specialists rather than former bureaucrats. The commissions should be equipped with resource persons and competent officials for the speedy and efficient delivery of information services. They should be enabled to plan information delivery strategies and make other people within the commissions aware of the communication strategies for better access to public information. The public information offices should be headed by the persons who can function independently and effectively on the basis of adequate training, funds and facilities. These commissions should play a pro-active role in times of delivery of information services according to the norms and guidelines of the act.

These commissions, educational institutions, media organizations, voluntary organizations and other agencies should organize adequate awareness campaigns among the people in order to utilize the act to combat the corruption and get the services of the information providers. The government should also create an independent oversight mechanism to oversee implementation of the act and promotion of the right which is lacking under the current context. The government should also further put in place measures to promote openness and a culture of disclosure of information in government institutions on the basis of positive attitude and behavioral patterns of the officials.

Tested, tried and healthy practices should be developed on the basis of research and development endeavors. These practices should also be shared across states and information commissions to enable mutual learning and possibilities for emulation. The information officials should be trained in the application of advanced information technologies and processes to shorten the path to information sharing and provide a wider outreach. The ability of the media professionals should not be hampered through certain laws which are outdated and irrelevant.

## Suggestions for Future Research

This study attempted to evaluate the use of right to information by the media professionals with special reference to Karnataka state. The study has revealed the strengths and limitations of right to information legislation from the point of view of procuring information from government agencies by the media professionals. But, during the course of the study, it is understood that there are many areas which could be considered for research by the future generation of researchers. Further research is needed in order to better determine the best uses of right to information by the beneficiaries of various development programmes, social workers in different NGOs, political activists in different political organizations and social activists in different social and cultural organizations. The future researchers should examine the use of right to information by various stakeholders of development at different levels across the country.

## Conclusion

Studies have emphasized the need for developing a methodology of people's audit of public authorities in order to ensure good governance. Absence of political will has also resulted in the ineffective implementation of the act. The information seekers are forced to knock at the doors of the courts in order to seek the enforcement of the right to information. The courts have also positively responded to the people to the best of their ability. The media professionals do not enjoy any special privileges in respect of enjoyment of freedom of speech and expression and right to information. The media professionals have realized the contemporary relevance of right to information, obtained certain benefits of right to information and derived certain gratifications from the right to information according to the present investigation. The media advocacy on using the legal provisions and enforcing the right to information assumes great significance in the present times since the disposal of the petitions takes time in the court of law. It is of paramount importance that comprehensive and early legislation is passed that guarantees the right to information on the basis of constructive provisions for penalties and autonomous appeal mechanism.

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