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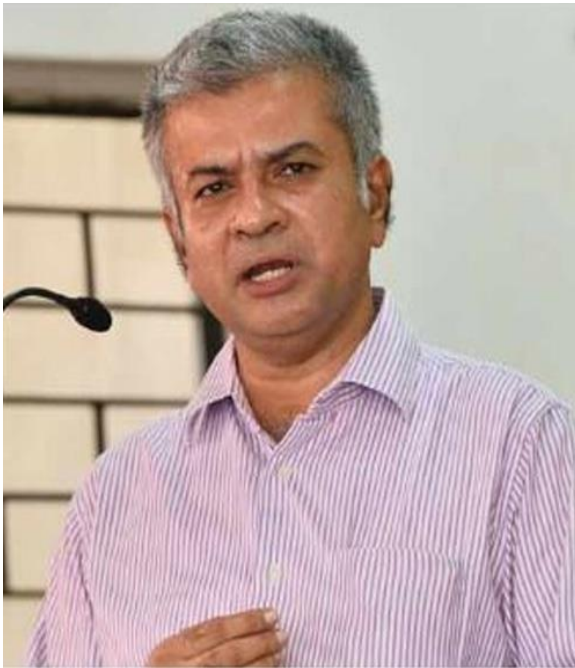
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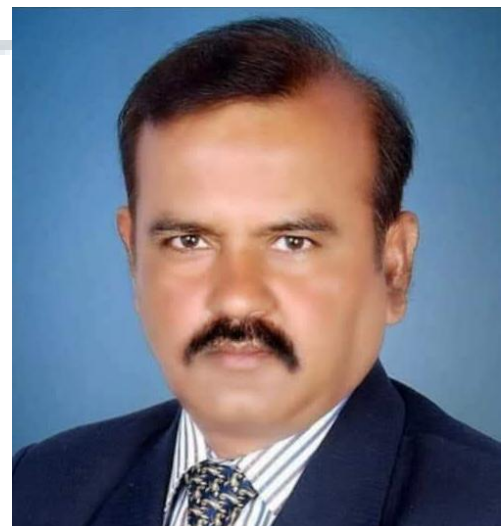
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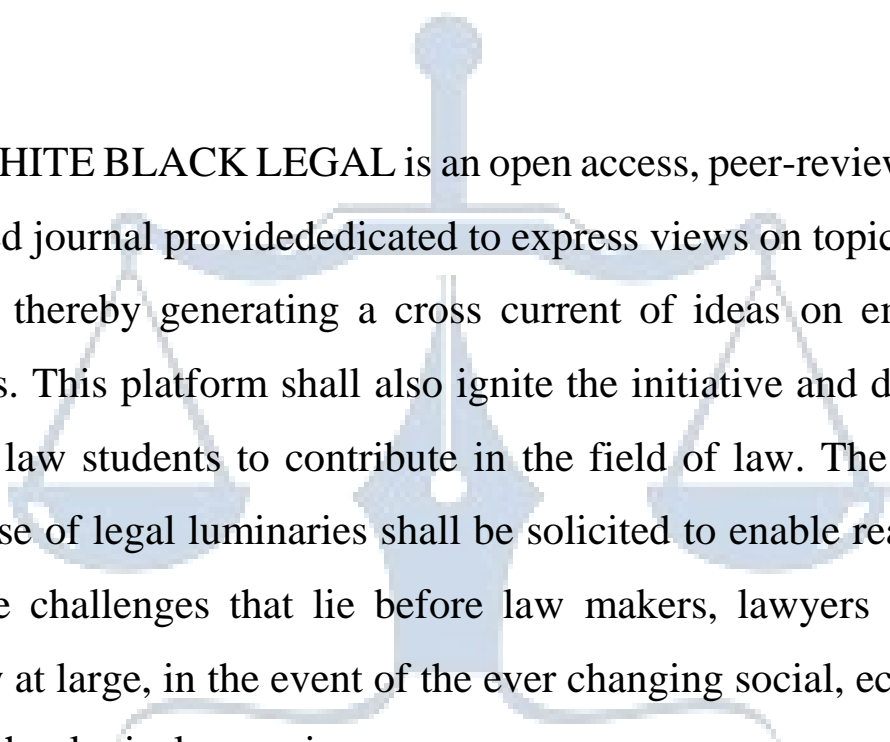


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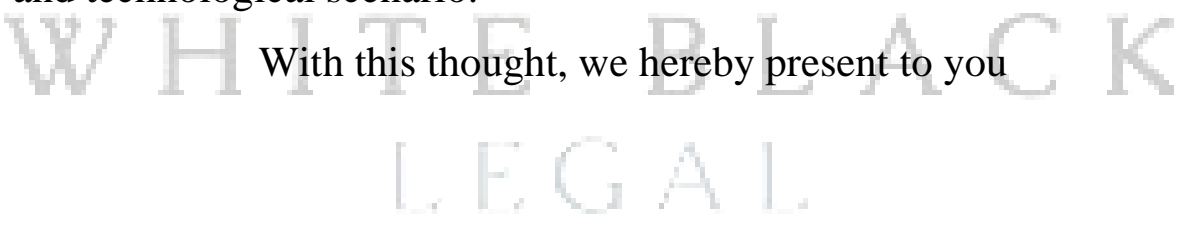
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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you





# **FROM PAPER TO PORTALS: BALANCING TRANSPARENCY, SECURITY, AND TECHNOLOGICAL ADVANCES**

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## **ABSTRACT**

The Right to Information (RTI) Act has been crucial in promoting transparency and accountability in India, allowing citizens to access critical government information. This document delves into essential aspects of RTI implementation, such as the role of activists, the transformative impact of technology, and the obstacles associated with sustaining the Act's effectiveness. RTI activists have emerged as key champions of transparency, although frequently enduring harassment and intimidation. The incorporation of technology, such as e-governance platforms and artificial intelligence, has increased efficiency while also introducing new issues, such as the digital divide and cyber risks.

The article moves deeper into concerns such as bureaucratic resistance, delays, backlogs, and recent revisions perceived to weaken the RTI framework. The work emphasises the significance of enhancing legal safeguards, encouraging civil society participation, and properly harnessing technology to address these challenges. By exposing these numerous difficulties, the statement calls for collaborative efforts to keep RTI as a powerful tool for democratic governance and public accountability.

**Keywords:** RTI; Artificial intelligence; whistleblowers; e-governance; RTI activists; bureaucratic resistance.

## **1. INTRODUCTION**

The Right to Information is a crucial component in any democratic setup whereby the citizens wield the power and extract information from public officials to keep them in check. It also serves as the best anti-corruption tool and is used by people when it comes to severing the bureaucratic red tape of government agencies<sup>1</sup>.

RTI enhances the trust in the system handlers by making them legally obligated to provide information in a way that creates a social contract between the citizens and the state<sup>2</sup>. With respect to India, the Right to Information Act of 2005<sup>3</sup> is considered to be a progressive step that moves towards social change. The Act has played a vital role in bringing down corruption and strengthening transparency by fostering inclusivity all while providing access to information which is the niche of a participatory government<sup>4</sup>. This citizen engagement aspect of the RTI helps them to ask questions and demand responses for anything that affects or even could potentially affect their life.

RTI is also instrumental in bringing all the disadvantaged and the marginalised sections of society into the world of administrative actions and policy decisions by allowing them to raise their grievances. From the extensive research obtained from a paper titled, 'Importance of Right to Information for Good Governance in India', it is quite evident that with the introduction of legislation, people from the grassroots level step forward to create a positive change. It is also an affirmative change in the situation where we find there are today, more RTI activists who aid and assist in voicing the claims and helping with the process of getting answers from the public officials<sup>5</sup>.

However, a completely rosy picture cannot be painted as there exist certain drawbacks and flaws such as delays and backlogs, bureaucratic resistance, harassment and others in the way the process of seeking information functions.

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<sup>1</sup> Gopika Nambiar, Right To Information as an Anti-Corruption Tool, 2 NUJS Journal of Regulatory Studies, 72-86.

<sup>2</sup> David Banisar, Freedom of Information Around the World 2006: A Global Survey of Access to Government Information Laws, PRIVACY INTERNATIONAL (2006), available at [Microsoft Word - surveynearfinal.doc](#).

<sup>3</sup> The Right to Information Act, 2005 (Act 22 of 2005).

<sup>4</sup> Asia Disclosed: A Review of the Right to Information across Asia, (2015) available at [Microsoft Word - 15 09 01 RTI regional report v4-3.docx](#).

<sup>5</sup> Sahina Mumtaz Laskar, Importance Of Right To Information For Good Governance In India, Bharti Law Review, 216-229, Oct-Dec, 2016.



This article examines RTI from a variety of angles, including the problems faced by activists, the transformational effect of technical breakthroughs, and criticisms of its implementation. By exploring these interconnected areas, it demonstrates RTI's expanding role in promoting openness, accountability, and citizen participation, ultimately boosting democratic government and empowering individuals to interact with public institutions.

## **2. RTI AND ACTIVISM: FIGHTING FOR TRANSPARENCY AND ACCOUNTABILITY**

### **2.1 RTI Activists**

Just as Martin Luther King said, “Silence of good men is more dangerous than the brutality of bad men” it is quite imperative to protect the defenders of human rights who are the pillars of the foundation of democracy.

The literature piece by Dr. Devakumar Jacob in ‘ Collateral Damage: An Urgent Need for Legal Apparatus for Protection of the Whistleblowers & RTI Activists, provides an in-depth analysis of the lives of RTI activists. His work reveals significant data under the period of 2013, whereby we find that Maharashtra is the worst state for whistleblowers to survive as there were about 53 attacks including 9 murders since 2005<sup>6</sup>.

The sad reality is, that even today, whistleblowers face backlash in the form of physical, legal and psychological hurdles when they come forward with legitimate questions sheerly because of political pressures.

#### **2.1.1 Challenges faced by RTI Activists**

In a study titled, ‘ Study on Constraints Faced by RTI Activists in Telengana, it can be deduced from the empirical research that there are many forms of obstacles under which threats and intimidation are the biggest forms of roadblocks<sup>7</sup>. Starting from physical assault, abuses have gone to the extent wherein people have even lost their lives as in the case of the environmental activist Ms. Sheela Masood<sup>8</sup>. This happens usually when something is spoken against well-

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<sup>6</sup> Dr. Devakumar Jacob, Collateral Damage: An Urgent Need for Legal Apparatus for Protection of the Whistleblowers & RTI Activists, 19 IOSR-JHSS, 01-09, (Apr. 2014).

<sup>7</sup> Sanjeev, Study on Constraints Faced by RTI Activists in Telangana, available at [https://rti.gov.in/Covering\\_note\\_sanjeev\\_2015.pdf](https://rti.gov.in/Covering_note_sanjeev_2015.pdf).

<sup>8</sup> Hemender Sharma, Shehla Masood murder case: Four convicted and sentenced to life imprisonment, India Today, Jan. 28, 2017.

known public figures. In 2015, when RTI activist Snehamayi Krishna exposed the alleged scams of Karnataka Chief Minister Siddaramiah, and consequently faced threats<sup>9</sup>.

The study also highlights 'legal intimidation' wherein tactics are used and trivial cases are lodged against the activists to cause frustration among the complainants. Apart from the bureaucratic hurdles such as red tapism is all along the way. In the case of *Central Public Information Officer v. Subhash Chandra Agarwal*<sup>10</sup>, the complainant had to file multiple applications about the collegium of the decision-making process of the Supreme Court Judges and the court even initially, dismissed the appeals on the grounds of jurisdictional issues and confidentiality concerns.

Another challenge among the prevailing masses is the lack of awareness. It requires someone to step up and initiate queries. It was only after RTI activist Okram Prasanta Singha<sup>11</sup> highlighted linguistic discrimination during UPSC examinations, the matter came into the picture. However, since it was only one person who was questioning the same, he faced an absence of support which limited the effectiveness.

Apart from the stated, there are many more impediments, however, the biggest of them is the psychological harm it does to the complainants. It takes a huge toll on the minds of the activists when they are constantly being disturbed in many ways right from a defamation suit to complete social exclusion.

## 2.2 Role of Civil Society in Promoting RTI Awareness

Civil Society Organisations are nothing but organisations of people who are coming together to bring about a change which could have the potential for a complete socio-economic revolution. They are the drivers of public opinion and make it reach the necessary personnel.

The word "civil society" refers to individuals who can use the RTI Act, as well as activists and non-governmental organisations (NGOs) who advocate for citizens' rights.

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<sup>9</sup>Sagay Raj, Activist Accuses Siddaramaiah Of Acquiring Benami Properties, Seeks Probe, India Today, Feb 3, 2025.

<sup>10</sup> 2019 (16) SCALE 40, 2019 SCC ONLINE SC 1459.

<sup>11</sup>Complaint No. CIC/SCOFI/C/2018/103115 .

It is undeniable that it was all the efforts of NGOs that led to the formation of the Right to Information Act 2005<sup>12</sup>. Even after the enactment, NGOs played a pivotal role in steering RTI awareness among people. They help in initiating the complaints up until the closure of proceedings. Delhi-based NGO – Parivartan<sup>13</sup> aids in the process of acquiring RTI for the general public.

The CHRI – Commonwealth Human Rights Initiative<sup>14</sup> and NCPRI – National Campaign for People’s Right to Information<sup>15</sup> are significant organisations that constantly advocate for RTI matters by actively providing awareness campaigns and legal assistance.

Through legal aid camps, capacity-building workshops are being conducted to educate both citizens on how to exercise their rights and PIOs on how to effectively deal with complaints and provide remedies as far as possible within the strict framework that they have to adhere to.

The role of media has an impressive and lasting impact on the minds of large audiences and the aspect of highlighting even one RTI success story pushes forth enthusiasm and the fact that the government is being made to answer transparently and honestly. In a way, the civil society groups act as pressure troops and thrust upon the authorities to come up with responses.

### 2.3 Landmark RTI Activism Cases in India

The case of Shehla Masood, sends chills down the spine as the prominent environmental activist was shot in broad daylight by contract murderers for filing many RTIs trying to expose all the wrongdoings and for being associated with many good causes such as voicing out women’s rights and issues, police reforms, increasing tiger deaths etc. After this case, it became apparent that there needs to be a well-structured whistle-blower protection mechanism and better security for activists<sup>16</sup>. In this regard, the contributions of Anjali Bharadwaj cannot be forgotten. She is the founding member of NCPRI and has vehemently advocated for the implementation of The Whistleblowers Act. She has even made attempts to resist the amendments in the RTI Act, that could potentially reduce its efficacy<sup>17</sup>.

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<sup>12</sup> Supra at Note 3.

<sup>13</sup> NGO Parivartan, available at <https://www.parivartan.org.in/>.

<sup>14</sup> CHRI available at [CHRI: Commonwealth Human Rights Initiative](http://CHRI: Commonwealth Human Rights Initiative).

<sup>15</sup> NCPRI available at <https://www.ncpri.in/>.

<sup>16</sup> Supra at Note 8.

<sup>17</sup> FP Staff, All you need to know about Anjali Bhardwaj: RTI activist being honoured by US for combatting corruption, First Post, Feb 24, 2021.

Another instance is when the Adarsh Society which was supposed to provide housing for Kargil war heroes was usurped by politicians and other higher cadre officers. This scam was exposed by NAPM (National Alliance of People's Movement) through a PIL<sup>18</sup>.

It was through RTI that the 2G Spectrum Scam case came into the picture. During the aftermath of the case, it was discovered that top names from the Indian political regime were involved<sup>19</sup>. Realising the importance of making the citizens aware of all the success stories, the CIC – Central Information Committee, made a compilation of different RTI stories that would instil confidence in the system<sup>20</sup>.

### **3. RTI AND TECHNOLOGY: TRANSFORMING INFORMATION ACCESS**

#### **3.1 Digitization of RTI**

The whole concept of communication has been completely revolutionised with the involvement of digital means whereby the process has become more quicker and accessible thereby creating an informed citizenry.

The online portals created by the central and the state governments act as a one-stop place to lodge as well as track complaints making it easier to keep a tab on the progress of the complaints. Consequently, the number of applications wanting to seek information has also grown, primarily because of the convenience it poses<sup>21</sup>.

With digitalization paving the way, swiftness in action can be maintained and the complete shift from a paper-based regime to a software-based structure has indeed, increased the efficiency of maintaining the records and has made the whole process more systematic by enabling easy access and retrieval of resources. This has also increased the privacy of the matter sought by the individual thereby enhancing the overall security of the system. The biggest advantage of going digital is the proven increased satisfaction of the consumer in our case, the

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<sup>18</sup> Admin, Get the Full Story Behind the Adarsh Housing Society Scam Now, The NoBroker Times, Jan 31, 2025.

<sup>19</sup> Shoaib Daniyal, 2G: The key players – a virtual who's who from the worlds of politics, business, bureaucracy and law, Scroll, Dec 24, 2017.

<sup>20</sup> Success stories, available at [RTI Centre](https://www.rticentre.org/).

<sup>21</sup> ONLINERTI, The Digital Transformation of the RTI Act - Enhancing Transparency in Indian Governance, ONLINERTI, (Apr 14, 2024), available at <https://blog.onlinerti.com/the-digital-transformation-of-the-rti-act-enhancing-transparency-in-indian-governance/>.



applicant<sup>22</sup>.

The primary challenge in introducing digitalization is the lack of skill among the masses to churn out a good deal of the opportunity and also on the part of the software systems that require constant eye-watch so that the platforms are not faced with down times. Also, at the end of the day, it is a human being who is operating behind the computer systems and only when the information is being fed, does the swiftness in operations stay intact<sup>23</sup>.

### 3.2 E-governance Platforms

The e-governance platforms act as a communication bridge between the government authorities and the citizens to facilitate the passing of information from one another. They provide a wide range of online services making the process efficient.

With regard to RTI, there are noteworthy platforms that provide services to the public in a commendable manner, such as Bihar's 'JAANKARI' Helpline, which provides phone numbers to citizens to file RTI and seek information. Similarly, the Dial.Gov Service was devised to make the procedure simple for the rural population. The big wing which takes RTI Applications, appeals and the delivery of information through SMS and calls is the online portal by the DoPT<sup>24</sup>.

These platforms reiterate the concept that the government is here to serve the public and act as their friend by paving the way for feasible and seamless data transfer and enhanced coordination.

### 3.3 Use of Artificial Intelligence for RTI Transparency

The current hype is all about artificial intelligence and rightly so, it does help bring unbiased transparency into the situation. The integration of RTI and AI has taken a new dimension of providing information more finely and focusing on user acceptability<sup>25</sup>. The RTI International

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<sup>22</sup> Subhash Bhatnagar, E-Government - From Vision To Implementation - A Practical Guide With Case Studies, (2004).

<sup>23</sup> Prince Kumar, Challenges and Strategies in Implementing the RTI Act, BANOTES, (Jan 3, 2024), <https://banotes.org/right-to-information/challenges-strategies-implementing-rti-act/?form=MG0AV3> .

<sup>24</sup> Leveraging ICT to Enhance RTI Implementation: Success Stories from India, PubAdmin.Institute, (Dec 31, 2023), <https://pubadmin.institute/right-to-information/leveraging-ict-to-enhance-rti-india-success-stories?form=MG0AV3> .

<sup>25</sup> Deepti Chopra & Amita Sharma, Artificial Intelligence In E-Governance-Enhancing Efficiency And Transparency, SSRN (21 Jan 2025).

(organisation) has incorporated natural language processing algorithms and leveraging machine learning for data analysis, which is far-fetched idea that turned successful<sup>26</sup>.

Upon gathering from authors Ms Banupriya G and Mr Raghukanna S, data categorization can be a very interesting mechanism to automatically filter and tag data. The amount of manual effort that goes into this process can easily be substituted. Along with this, predictive analysis can be performed by training the software to predict the relevant data that would be required by the public and publish the same without the requirement of seeking for the same. Apart from this, AI Chatbots can effectively serve as a window to clarify information and doubts regarding the process and in between retrieval of data<sup>27</sup>.

The downside of using AI tools in the process of RTI would be the legal and ethical concerns that crop up. The issue of privacy will come into the picture, as AI requires a lot of data to be fed even to perform a simple function<sup>28</sup>. Similarly, if AI is integrated then, it becomes a burden on our government authorities to be technically sound, which in the current scenario is very difficult considering the infrastructure and the cost of the training<sup>29</sup>.

### 3.4 Cybersecurity concerns in online RTI portals

When the aspect of digital entering the stream it also becomes significant to have an equivalent amount of security in all the processes. There are many ways through which disturbance can be created in the online RTI platforms which include, data breaches, malware, phishing and DoS attacks, insufficient authentication delay in OTP delivery etc. Recently, in the month of January 2025, there was confusion with respect to the slow delivery of OTP messages which was later clarified by the government as traffic in the server<sup>30</sup>.

The only remedy to the stated problem is the welcoming of The Data Protection Bill in India which sews the web of privacy and the strengthening of the CERT-In initiatives. The CERT is

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<sup>26</sup> Artificial Intelligence, RTI International, <https://www.rti.org/solution/artificial-intelligence?form=MG0AV3> .

<sup>27</sup> Ms.Banupriya G & Mr.Raghukanna S, Capitalizing On Artificial Intelligence For Enhanced RTI Implementation: Innovations And Challenges In Transparency And Accountability, 13 ICJR (2024).

<sup>28</sup> Rudra Srivastava & Neha Meena, AI and Indian Law: Addressing Privacy, Ethics, and Copyright Challenges in the Digital Age, S&P (6 Feb, 2025), available at <https://singhania.in/blog/ai-and-indian-law-addressing-privacy-ethics-and-copyright-challenges-in-the-digital-age> .

<sup>29</sup> Shweta Singh & Nilisha Gupta, Fundamental Rights in the Looming AI-Powered Future: Challenges and Opportunities, 7 IJLSI, 107-119 (2025).

<sup>30</sup> RTI Portal Functioning Smoothly, Says DoPT Amid Concerns Over OTP Feature, ET Government, Jan 10, 2025 available at [RTI portal functioning smoothly, says DoPT amid concerns over OTP feature, ET Government.](https://www.ETGovernment.com/rti-portal-functioning-smoothly-says-dotp-amid-concerns-over-otp-feature)

the nodal body responsible for monitoring and controlling cyber attacks<sup>31</sup>.

#### **4. CHALLENGES AND CRITIQUES OF RTI IMPLEMENTATION**

Though the advantages of having a robust mechanism of RTI are highly beneficial, the criticisms surrounding the same cannot be neglected and have to be seen as an avenue for improvement. This section deals with the central questions relating to the disadvantages of the RTI system and matches possible solutions for the same.

##### **4.1 Bureaucratic resistance to RTI compliance**

Government officials are bound to work in their mundane environment adapted to sticking to their routine portfolios, which is the key roadblock to the vigorous implementation of RTI. They consider the entire mechanism to be a barricade for their exercise of power and hence, try to move past the same<sup>32</sup>.

The system also suffers from a low staff strength and the fear of existing staff who are cautious in their approach lest they expose the hidden information. This promotes reluctance in the minds and the actions of the officials<sup>33</sup>.

To counter this, government officials should be well equipped to handle the applications as well as provide able solutions to the same, which can be achieved through training programs that would enhance their capacity as well and fixing KPIs would act as an incentive for orderly work. The public has to be made aware of the possible consequences the officials may face if they do not adhere to the norms of RTI which will in turn keep the authorities in check at all times. Imposing hard penalties and devising a new streamlined process for processing the claims might be helpful too<sup>34</sup>.

##### **4.2 Delays and backlogs in RTI applications**

According to a news article published by The Times of India in October 2024, it has been

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<sup>31</sup> Guidelines on Information Security Practices for Government Entities issued by CERT - [Guidelines on Information Security Practices for Government Entities](#).

<sup>32</sup> Dr.Prashant D. Satpute, Implementation and Impact of Right To Information Act in India: A Comprehensive Study, 8 IJNRD, 735-740 (2023).

<sup>33</sup> Right To Information Act And Its Fall Out, CODEPUR, available at <https://www.codepur.in/2024/06/lecturrete-topic-397-right-to.html?form=MG0AV3>.

<sup>34</sup> RTI – Implementation Plan, available at [Microsoft Word - RTI Report\\_With Language Edits\\_v1.1.doc](#).

recorded that there are around 4 lakh appeals and complaints pending across the nation, which highlights severe backlogs and delayed response from the officials<sup>35</sup>.

Short staffing is the major reason for the delays as there are many vacant positions in the Commissions which have remained unoccupied for a very long period. Apart from this, the existing personnel create a lot of procedural inefficiencies too<sup>36</sup>.

The solution that can be used to tackle this problem is by stimulating the existing digital interface to create automated responses for trivial matters and thereby bring down the requirement of human efforts. This will also help the information officers to work on more critical matters.

However, by making the RTI Annual Return Statements, there is some amount of public scrutiny involved, which further be increased<sup>37</sup>.

#### 4.3 Dilution of RTI amendments

In the year 2019, there were a few amendments made to the Act, that relaxed provisions in terms of tenure of the officers, making it at the discretion of the government rather than the 5 years and the change of executive rather than the legislature to provide salary and allowances<sup>38</sup>.

The said amendments, reduce the role played by the legislature. For effective implementation, it is required to strengthen legislative oversight that would prevent arbitrariness.

#### 4.4 Harassment and Intimidation of RTI Users

The whistleblowers face a lot of distress considering how they expose the concealed matters. In 2021, it was reported that in Bihar there were 17 whistleblower murders in the past decade<sup>39</sup>. To tackle this, The Whistleblower Act 2014 which provides a statutory shield for protecting

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<sup>35</sup> Ambika Pndit, RTI Completes 19 Years; Appeals, Complaints Backlog Crosses 4 Lakh Mark, TIMES OF INDIA, Oct 12, 2024.

<sup>36</sup> Backlogs in RTI, NEXT IAS (Oct 13, 2021), available at <https://www.nextias.com/ca/current-affairs/13-10-2021/backlogs-in-rti?form=MG0AV3>.

<sup>37</sup> Annual Reports of CIC - [Annual Reports | Central Information Commission](#).

<sup>38</sup> Shreysi Singh, The RTI Amendment Bill and its implications, THY RIGHT TO INFORMATION (Jul 24, 2019), available at <https://www.thyrighttoinformation.com/2019/07/24/the-rti-amendment-bill-and-its-implications/?form=MG0AV3>.

<sup>39</sup> Saurav Kumar, Bihar: RTI Whistleblowers Allege No Action by Govt Despite Prolonged Harassment, Intimidation, NEWS CLICK, Jan 12, 2021.



exposers. However, the implementation of this Act is quite inadequate<sup>40</sup>.

To put a stop to this, the legal framework of the Act has to be made more rigid and civil society organisations on their part, have to participate more and create awareness among the citizens.

## **5. CONCLUSION**

The Right to Information (RTI) Act has transformed India's transparency, accountability, and citizen involvement. Its successful implementation has given individuals the ability to obtain critical information, demand accountability, and battle corruption. However, the road is not without its hurdles. Bureaucratic resistance, delays, revisions that undercut the RTI framework, and threats against whistleblowers continue to obstruct its full implementation.

The integration of technology, such as e-governance platforms and artificial intelligence, has considerably increased the RTI system's efficiency and accessibility. However, the digital gap, technological hurdles, and cybersecurity issues must be addressed to ensure fair access and data protection. Furthermore, protecting RTI activists and whistleblowers through strong legal frameworks and aggressive civil society engagement is vital to preserving democratic norms.

To address these difficulties, a multi-stakeholder strategy is required. The government must spend in training officials, improve digital infrastructure, and safeguard the independence of Information Commissions. To maintain the momentum, civil society organisations and the media must continue to conduct lobbying and awareness campaigns. With collaboration, RTI can be a powerful tool for promoting democratic government and allowing citizens to hold public officials responsible.

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