

## Findings of Thesis in Abstract

**Name of the PhD Candidate - VARUN CHHACHHAR**

**Name of the Supervisor - Prof. Dr. Manjula Batra.**

**Title of the Thesis - RIGHT TO INFORMATION, ACCOUNTABILITY AND ADMINISTRATION OF JUSTICE.**

**Department - FACULTY OF LAW.**

Right to Information has the ability to generate more controversy and heated debate than virtually any other aspect of contemporary government and administration. Freedom of Information has long been a rallying cry of libertarians. But what does freedom of information mean? For most of us those who employ the phrase, it means that the public documents or the information in any form, should be normally accessible to the common people, so as to know what the government is up to. In some jurisdictions, it may mean not only allowing access to government documents in whatever form they happen to exist, but also allowing to open its doors for Government bodies, their advisory groups and their immediate clients for public scrutiny. Or it may involve an assurance by the person who is accessing information from authorities that he will not misuse that information for unauthorized purposes. It covers individual access to information, and the protection of information given to individuals from being used. If individual access to such information is too costly, or too sensitive or not worth the effort because of public apathy, or because there is little public feedback of views or ideas to inform specialists or decision-makers, can we say that this is an argument against the freedom of information? Or is it an argument in favour of the provision of essential and unadulterated information to bodies that we trust, so that they may check the policy-making process, render that process accountable, and report on their findings? From financial markets to government, from national security to education, from multinational corporations to small employers, from police to social welfare, medical treatment and social services, we are confronted by information repositories and retrieval systems whose capacity to store and transmit information is staggering. What is novel in our society, however, is the heightened awareness of the use, collection, dissemination or withholding of information. Our capacity as human beings to acquire, use and store information is essential for our survival. At a practical level, with the use of information disasters can be avoided, accidents can be prevented and sustainable development can be achieved. India is a democratic republic state. Here the Government is of the people, by the people and for the people. Therefore the people of our country have the right to know about state affairs. Freedom of information brings openness in the administration which helps to promote transparency in state affairs, keep government more accountable and ultimately reduce corruption.

Corruption today is the greatest enemy of good governance and is causing harm to democracy and development. People in India must bow their heads in shame as they are living in a country where all activities and functions were conducted with corrupt practices. Whatever the

number of institutions we create, they themselves become dens of corruption. It seems that good governance and corruption cannot co-exist. If they cannot exist together then what is that element which supports corrupt practices?? The answer is Secrecy. Secrecy in Government is the most important cause of corruption, inefficiency and irresponsiveness and an enemy to good governance.

The thesis unfolds that the Right to Information Act is one of the strongest weapons that can be systematically used by the citizens to check the activities of the government either from time to time or continuously as they wish to. It is not only a strong tool against government but also against judicial corruption. The Delhi High Court's ruling (*CPIO, Supreme Court of India v. Subhash Chandra Aggarwal, AIR 2010 Delhi 159*) that information about judges' assets cannot be kept concealed and it must be disclosed to every citizen seeking the information under the Right to Information Act is remarkable. The historic verdict further held that the office of the Chief Justice of India is a public authority and it cannot enjoy special exemption from the Right to Information Act. Despite opposition from a section of judges, the High Court went ahead with the ruling describing the transparency law as powerful beacon. This bold decision by the court will undoubtedly go a long way in uplifting the sagging image of the Indian judiciary.

In this context of the Judicial Corruption, the thesis carves out the characteristic features such as instances of corruption on judges with reference to appointment, transfer and supersession of Judges. The Thesis covers each and every aspect of judicial corruption with the help of reported cases and impeachment proceedings. It emphasizes on the Role of Right to Information in judicial corruption. The thesis categorically highlights that the emergence of new challenges in the Administration of Justice has made it necessary for the legal system to rethink about the status of existing statutory framework and practices. In the context of India, the Right to Information Act, 2005, facilitates a critical yet constructive approach to reconsider the impact and scope of accountability in all organs of the State.

The present theory has explicitly shown that undoubtedly, the Right to Information law is an effective tool in bringing transparency in the administration of justice. This law helps to achieve the goals set out by the legislature. It also helps in transparency and accountability with respect to the executive function of our system and also the function of the judiciary, specifically, in the matter of appointment procedure which suffers from serious anomalies. Further the researcher has also examined at length the freedom of Information laws in the United States, Australia and the United Kingdom and compared the same with India. It has been observed that the Indian *Right to Information* law is more comprehensive and stringent than the United States, Australia and the United Kingdom..

Thus, it may be explicitly stated that *Right to Information* helps in attaining administration of justice because when people have access to justice then only justice can be delivered.