

# Transparency Mechanisms in Governance

## Introduction to Transparency in Governance

- Definitions and Perspectives on Transparency**
  - Transparency International defines transparency as the quality of government being open in its dealings with citizens and stakeholders.
  - The World Bank describes transparency as the extent to which government processes, decisions, and data are accessible, reliable, and timely.
  - The Second Administrative Reforms Commission (ARC-II, 2008) views transparency as the antidote to corruption, transforming opaque bureaucracy into citizen-centric governance.
  - Transparency builds trust, legitimacy, and accountability in governance, making it a critical element for democratic functioning.
  - Transparency fosters citizen participation by making government actions visible and understandable.
  - It reduces corruption by exposing irregularities and promoting accountability.
  - Transparent governance enhances the legitimacy of government institutions and policies.
  - It is a key factor in building public trust and ensuring effective service delivery.
- Importance of Transparency in Governance**
  - Transparency is a frequently asked topic in UPSC exams, especially in governance-related questions.
  - Key areas include Right to Information (RTI), Citizen's Charter, and Social Audits.
  - Understanding transparency mechanisms is essential for answering questions on accountability and governance reforms.
- Exam Relevance and UPSC Focus**

- Conclusion**
  - Transparency is described as the oxygen of democracy, essential for its survival and growth.
  - Mechanisms like RTI and social audits transform citizens into active stakeholders.
  - Government becomes a trustee of public faith through openness and accountability.
  - Justice Mathew's observation in Raj Narain (1975) underscores that people are the masters with the right to know government actions.
  - Transparency mechanisms empower citizens and improve governance quality.
  - They help combat corruption and inefficiency by making government actions visible.
  - Continuous reforms and proactive disclosure are necessary to strengthen transparency.
  - Transparency remains a cornerstone for building trust and legitimacy in democratic governance.
- Final Thoughts on Transparency Mechanisms**

## Key Transparency Mechanisms

- Right to Information (RTI), 2005**
  - RTI Act in India has been instrumental in exposing irregularities such as the Adarsh Housing Scam.
  - It has been used effectively to track Public Distribution System (PDS) leakages in states like Chhattisgarh.
  - Globally, the Freedom of Information Act (FOIA) in the US (1966) is considered a cornerstone of transparency legislation.
  - Sweden's 1766 FOI Law is recognized as the world's first law granting access to information.
- Whistleblower Protection**
  - India enacted the Whistleblower Protection Act in 2014, though its implementation remains limited.
  - The case of Satyendra Dubey, an NHA engineer who exposed corruption, sparked national debate on whistleblower safety.
  - Internationally, Edward Snowden's 2013 disclosures highlighted mass surveillance issues, emphasizing whistleblower importance.
  - The US Sarbanes-Oxley Act (2002) strengthened protections for corporate whistleblowers, promoting transparency in business.
- Citizen's Charters**
  - Citizen's Charters set service standards and timelines to improve government accountability.
  - Examples in India include the Delhi Jal Board Charter, which specifies timelines for water supply services.
  - Karnataka's Sakala Services Act (2011) makes service delivery timelines enforceable by law.
  - Globally, the UK Citizen's Charter (1991) served as a benchmark for India, while Canada's Service Charter model focuses on public service quality.
- Social Audits**
  - Social audits involve community participation to verify government spending and service delivery.
  - Andhra Pradesh's social audit of MGNREGA exposed ghost workers and misuse of funds.
  - Rajasthan's Mazdoor Kisan Shakti Sangathan (MKSS) pioneered social audits in India, promoting grassroots transparency.
  - Globally, Brazil's participatory budgeting in Porto Alegre (1989) and the Philippines' Bottom-Up Budgeting are examples of citizen audits of public funds.

- UPSC Previous Year Questions (PYQs) Connected to Transparency**
  - 2018 Question: "RTI has led to greater transparency but its potential has not been fully tapped." This question focuses on the achievements and limitations of the RTI Act. Candidates are expected to analyze challenges and suggest improvements.
  - 2019 Question: "Citizen's Charters enhance accountability." The question requires discussion on how Citizen's Charters contribute to transparent and accountable governance. It involves evaluating their effectiveness and implementation issues.
  - 2021 Question: "Discuss role of Lokpal, CVC, CBI in ensuring transparency and accountability." This question addresses institutional mechanisms supporting transparency. Candidates must explain the functions and impact of these bodies in governance.
- Importance of PYQ Mapping**
  - Understanding these questions helps in focused preparation for governance topics.
  - It highlights recurring themes and examiners' expectations.
  - PYQ mapping aids in linking theoretical knowledge with practical governance issues.

## Case Laws and Judicial Support for Transparency

- Landmark Judgments Supporting Transparency**
  - State of UP v. Raj Narain (1975) affirmed citizens' right to know about government actions, reinforcing transparency as a democratic right.
  - Union of India v. Association for Democratic Reforms (2002) mandated disclosure of candidates' criminal and financial records to voters.
  - CBI v. Manjeet Singh (2015) emphasized that public interest overrides government secrecy, supporting transparency in investigations.
- Judicial Role in Enhancing Transparency**
  - Courts have consistently upheld transparency as essential for accountability and democratic governance.
  - Judicial pronouncements have expanded the scope of information accessible to citizens.
  - The judiciary acts as a watchdog ensuring government compliance with transparency laws.
  - These rulings strengthen citizen empowerment and reduce arbitrary secrecy in administration.
  - Judicial interventions have led to greater enforcement of RTI and related transparency mechanisms.
- Impact of Judicial Decisions on Governance**
  - They have compelled government agencies to disclose information proactively.
  - Courts have encouraged institutional reforms to improve transparency and accountability.
  - These decisions have set precedents for future governance reforms and citizen rights.

- Examples Illustrating Transparency Mechanisms**
  - Indian Examples**
    - The PM-KISAN dashboard provides real-time transparency of fund transfers to farmers, enhancing accountability.
    - Andhra Pradesh's e-procurement system has reduced tender scams by making procurement processes transparent and accessible.
    - These examples demonstrate practical applications of transparency tools in governance.
    - They highlight the role of technology in promoting openness and reducing corruption.
    - Estonia offers 100% online government services with transparent citizen data access, setting a global benchmark.
  - Global Examples**
    - The OECD Open Government Data Index 2024 ranks Denmark and South Korea as top performers in transparency and open data.
    - These countries exemplify best practices in digital transparency and citizen engagement.
    - Their models provide lessons for other nations aiming to enhance governance transparency.

## ARC-II Recommendations on Transparency

- Transition to Proactive Disclosure**
  - ARC-II recommended shifting RTI from a "supply-driven" model to a "demand-driven proactive disclosure" system.
  - This means government departments should publish information without waiting for RTI requests.
  - Proactive disclosure reduces the burden on information commissions and improves transparency.
  - It encourages routine openness in government functioning.
  - Every government department should publish a Citizen's Charter outlining service standards and penalties for non-compliance.
  - Charters should be legally enforceable to ensure accountability.
  - This institutionalizes citizen rights to timely and quality services.
  - It also promotes transparency by setting clear expectations for government performance.
- Citizen's Charter Implementation**
  - ARC-II recommended establishing independent grievance redressal authorities to handle transparency failures.
  - Institutionalizing social audits in all major welfare schemes was advised to ensure community oversight.
  - These measures aim to strengthen citizen participation and government accountability.
  - They help detect and prevent corruption and inefficiency in public programs.
- Grievance Redressal and Social Audits**
  - The commission emphasized the need for capacity building in transparency mechanisms.
  - It called for better training of officials to handle information requests and disclosures.
  - Institutional reforms should focus on integrating transparency into governance culture.
  - These steps are vital for sustainable and effective transparency practices.
- Strengthening Institutional Frameworks**

- Current Affairs Linkages (2024-25)**
  - RTI Backlogs and Challenges**
    - As of 2024, the Central Information Commission (CIC) has over 50,000 pending RTI cases, creating a transparency bottleneck.
    - Delays in information delivery undermine the effectiveness of the RTI Act.
    - Backlogs highlight the need for systemic reforms and proactive disclosure.
    - Addressing these challenges is critical for restoring citizen trust.
  - Recent Whistleblower Cases**
    - A former SEBI officer disclosed insider trading activities in 2024, bringing whistleblower issues into focus.
    - Such disclosures emphasize the importance of protecting whistleblowers to maintain transparency.
    - The case reignited debates on strengthening whistleblower protection laws and implementation.
    - It also highlighted gaps in current legal and institutional frameworks.
  - Updates on Citizen Charters**
    - The Ministry of Railways introduced a revised Service Charter in 2024 to enhance service standards and accountability.
    - The updated charter includes clearer timelines and grievance mechanisms for passengers.
    - This reflects ongoing efforts to improve transparency and citizen-centric governance.
    - Other ministries are expected to follow suit with revised charters.
  - Social Audit Developments**
    - Rajasthan made social audits compulsory in all housing projects starting 2025.
    - This move aims to increase transparency and prevent corruption in public housing schemes.
    - It empowers beneficiaries and civil society to monitor project implementation.
    - The initiative is part of a broader trend to institutionalize social audits nationwide.
  - Global Transparency Initiatives**
    - The EU Digital Governance Act (2024) mandates transparency in algorithmic governance, ensuring openness in digital decision-making.
    - This act addresses concerns about automated systems affecting citizens' rights.
    - It represents a global trend towards transparency in emerging governance technologies.
    - Other countries are observing and adapting similar frameworks for digital governance.