

## 1. Information sharing empowers the citizens and deepens their trust towards the government. Do you agree? Illustrate.

### Introduction:

Information sharing that was earlier subjected to the government's discretion was brought to forefront and made an essential tool of our democracy through Right to Information Act (RTI). Other than that present day activism has brought light on the importance of information sharing.

### Body:

Information sharing empowers the citizens and deepens their trust towards the government in many ways like

- **Informed decisions-** Information sharing helps in transforming citizens into informed citizens, who are capable of understanding and reflecting upon the public policy and programs and based on that, are able to make informed decisions about the political future of the country.
- **Making governments more efficient:** The responsibility of the government increases as they have to be accountable to people about their decisions. This brings in the true essence of democracy which enables citizens to more fully participate in public life. The public trust and the credibility of the government will increase.
- **Active citizenry-** RTI has helped in transforming the people from passive subjects to active citizens who are questioning about the aims, process and funding of the policies and programs.
- **Strengthening operations:** To strengthen institutions, modernize the public administration and address civil unrest.
- **Rights of backward classes-** Through information accessed through RTI SCs, STs Etc. are asserting their rights by exposing misappropriation and corruption.
- **Assertion of demands-** Many of the demands from the socially and economically underprivileged sections are coming after they have received data and information through RTI, thus it has given voice to hitherto voiceless groups.
- **Participative citizens-** RTI allow any Indian citizen to participate in governance by enabling her or him to seek information about Central and state government activities.
- **Fighting corruption:** By reducing the secrecy in which decisions are taken and disclosure of the information and thereby transparency increases. This helps in fighting the corruption and its various evil faces. Example: "illegal" selection in jobs, favouritism in government contracts, getting the land meant for a public park back from the civic bodies etc.,
- **Formation of a strong civil society** - better informed society leads to civil society which keeps checks on arbitrary power of govt.
- **Encouraging investment:** It eases the business environment. The investors gain more confidence and are willing to invest and expand better

### Conclusion:

Information sharing can thus help empower citizens, however due caution needs to be exercised so that it does not create a havoc like use of social media to defame or filing fake RTI that drains resources.

## 2. Expand upon the philosophy of 'Saam, Daam, Dand, Bhed'. Is it relevant today? Comment.

### Introduction

Arthshastra written by Kautilya/ Chanakya/ Vishnugupta (different names of same person) has reference of "Saam, Daam, Dand & Bhed neeti" (persuasion, temptation, punishment, and division) as various, different, and sequential means to achieve an end.

### Body

This is by far the most practical idea applied by Vedic kings since time immemorial, practical even to this day.

- **Saam Neeti:** When disagreements arrive, and are not substantially settled, conflicts grow. Identifying and allaying disagreements is the object of Saam. It means paying attention to your adversary's argument and understanding his/her perspective.
- **Daam Neeti:** People work for money, incentives, recognition, awards etc. Chanakya suggests rewarding people sufficiently in order to get the work done. Organizations decide to facilitate by cash or kind, depending upon the policy formulated.
- **Dand Neeti:** Chanakya says "King with rod becomes a terror. A king with mild rod is despised; king just with rod is honored". Many employees may not show sign of improvement from above methods of motivations in spite of constant follow up. If neither reward nor incentive brings them out of lethargy, punishment is stronger option, but need to be used very intelligently. Punishment is always prescribed for view to improve not to deteriorate.
- **Bhed Neeti:** Much abused neeti, divide and rule, Chanakya says something very important. When no weapon works, then this the hard option, though not encouraged at all, it is final step.

All of the above mentioned neeti goes in a sequence, starting with Saam, if this fails, then there is a need to move to Daam Neeti and so on. The final step being the Bhed Neeti and it is observed in almost all cases that results are attained or seem to be attained if we follow the above principles.

### Relevance today

Let us try to understand the Neeti's using examples

- **Saam Neeti:** In any organisations, there is a possibility of conflict between people working in a group. To sort these differences, there is a need for proper discussions. We need to listen and understand others problem, convince them about management perspective. Solutions can be worked out to complex problems through negotiations. Sometimes expertise from

external or internal agency also can help. This principle can be applicable even in International Relations, where forums can sort out their differences.

- **Daam Neeti:** Piece rate system of wages is an example, which is a reality in almost all the organization for certain defined work, target based incentives scheme, where target may be sales volume, productivity, machine efficiency. Award system, like best employee, most regular employee, long serving employee etc. all these fall under Daam neeti.
- **Dand Neeti:** Fear of punishment that people refrain from doing unrighteous things. Punishments like warning, show cause notice, suspension or salary cutting. Punishments under CCS Rules for civil servant deter them from wrong-doing. Depending on level of irregularity, type of punishment can be used in view of maintaining discipline.
- **Bhed Neeti:** When both employee and organization cannot work together and Parting is the only option left, else company can think of transferring to some other work area, which may not be very crucial. Government officers, mostly policemen or IAS officers often face transfer under this policy.

### Conclusion

The concept of Chanakya Neeti must be understood in a broader sense. Sometimes people seem to misuse them for their personal benefits. It must be utilized for a good cause; It must always abide by the law & order and help in improvement and not deterioration.

### 3. What is 'probity'? Why is it a desirable attribute to have for a civil servant? Examine.

#### Introduction:

Probity is the act of strict adherence to the highest principles and ideals (integrity, good character, honesty, decency) rather than avoiding corrupt or dishonest conduct. It balances service to the community against the self-interest of individuals. Moreover, Probity has been described as a risk management approach ensuring procedural integrity.

**Body:**

According to the Second Administrative Reforms Commission, apart from the traditional civil service values of efficiency, integrity, accountability and patriotism, civil servants must inculcate and adopt ethical and moral values including probity in public life.

**Importance of probity in civil services:**

- To prevent unethical practices like misconduct, fraud, favouritism, criminalization of governance, self-centred functionaries and corruption in governance.
- To ensure public interest and cooperation in governance for participatory governance. Probity will bring the lost public trust back.
- To cater to the needs of all sections of society. So that inclusive growth is achieved.
- To bring in good governance (Accountability, transparency, integrity, Confidentiality etc.)
- To ensure the equitable and just distribution of resources.
- To ensure compliance of civil servants with laws, processes and codes.
- Probity is closely linked to societal values. Probity ensures that a public servant is not influenced by societal values which are unethical.
- Probity ensures "equality before the law". Ex: File clearance of a common citizen and a mighty politician is the same for the civil servant.
- Probity in governance is the antithesis of corruption in public life.
- Civil servant maintaining probity avoids corrupt or dishonest conduct, as it involves applying values such as impartiality, accountability and transparency.
- The principle of probity in public life is the cornerstone of good governance. It is the sine qua none of the democracy and sustainable development.

**Conclusion:**

Probity in governance is an essential and vital requirement for an efficient and effective system of governance and socio-economic development. Ensuring probity in public sector activities by a civil servant is part of every public official's duty to adopt processes, practices and behaviour that enhance and promote public sector values and interests.

**4. Should the judiciary be brought under the purview of the RTI Act? Will it not lead to enhanced public trust in the judiciary? Critically comment.****Introduction:**

The Indian judicial system has attained maturity over a period of more than one and a half century and has now earned an international reputation as one of the most efficient adjudicatory systems of the world. Time and again it has vehemently supported the principles of transparency and irritability in all spheres of governance. The Right to Information Act (RTI) aims to promote transparency in government institutions in India.

**Body:**

Judiciary can be said to be the backbone of the right to information (RTI). Thus, bringing it under RTI purview will enhance public trust in judiciary.

**Arguments for bringing the Judiciary under RTI:**

- All power, judicial power being no exception, is held accountable in a modern Constitution.
- A blanket judicial exemption from the RTI Act would defeat the basic idea of "open justice": that the workings of the courts, as powerful organs of state, have to be as transparent and open to public scrutiny as any other body.
- Bringing the judiciary under the RTI Act will not destroy the personal privacy of judges as feared: as the High Court judgment noted, the RTI Act itself has an inbuilt privacy-oriented protection, which authorises withholding the disclosure of personal information unless there is an overriding public interest.
- While disclosure of assets is arguably justified by an overriding public interest, medical details or information about marital status, for example, are clearly not. There will always be borderline cases, of course, but that only calls for nuanced and fine-grained analysis of such cases, nothing more.
- The Collegiums at present has immunised itself from any form of public scrutiny. The nomination process is secret, the deliberations are secret, and the reasons for elevation or non-elevation are secret.
- Courts have always been questioned for pending cases. RTI can place yardstick among judicial for timely disposal of justice.

**Will it enhance the public trust in judiciary?**

- Transparency in judicial functioning is crucial to maintaining public faith in the impartiality of the institution.
- It will ensure that accountability shall target mismanagement, abuse of discretion, corruption and other administrative malpractices.

- People of the country have increasingly started believing in the decision of the courts and have, from time to time, shown their faith in the judicial process. This move of exempting judiciary from RTI without any just, legal or logical reasoning will cast doubts on the judges and the public confidence in such a pious institution will be lost.

#### **Arguments against bringing the Judiciary under RTI**

- Disclosing the correspondence of the Collegium might destroy judicial independence and disclosing the reasons for rejection of a judge might destroy his or her life or career.
- It will compromise independence of judiciary as specified by constitution.
- It will challenge the decision-making power of Supreme Court.
- It will create extra burden on judiciary as every field will be answerable by judiciary.
- It will compromise secrecy & security involved in certain cases. This may prove detrimental for our country.
- Judiciary will become puppet in the hands of people rather than being the sole justice provider of the country.
- It will increase the political involvement in judiciary.

#### **Conclusion:**

The RTI has been inherently recognized as a part of the right to freedom of an individual through the prism of fundamental rights. The growth of PIL has considerably helped in eroding the secrecy regime and provided access to information and democratization of the judicial process. Right to Information is no doubt a key to good governance. But it also has to be kept in mind that the independence of the judiciary is a part of the basic structure of the Indian Constitution. Thus, while dealing with the ambit of RTI act regarding judiciary, its applicability and extend both have to be taken into consideration.

**5. While transparency reduces corruption, good governance goes beyond transparency in achieving Openness. Openness means involving the stakeholders in decision-making process. Transparency is the right to information while openness is the right to participation. Comment.**

#### **Introduction**

**Open government** is the governing doctrine which holds that citizens have the right to access the documents and proceedings of the government to allow for effective public oversight

**Transparency** is the condition of openness of system where no aspect whether related to information, principles, actions, rules etc is hidden from the stakeholders in terms of accessibility.

**Openness** is accommodating attitude or opinion, as in receptivity to new ideas, behaviours, cultures, peoples, environments, experiences, etc, different from the familiar, conventional, traditional, or one's own.

**Body****Significance of transparency:**

- **Democracy, accountability and participation:** Absence of, or inaccessibility to, information often creates a sense of disempowerment, mistrust and frustration.
- **Increased efficiency and effectiveness:** Greater transparency can also bring benefits to government themselves, directly or indirectly. Therefore, transparency is also considered to be a key component of public policy and efficiency.
- **Against corruption:** Free and guaranteed access to information enables citizens, the media and law enforcement agencies to use official records as a means to uncover cases of corruption and maladministration

**Significance of openness:**

- **Increased public participation:** Open government - increased disclosure of information and enhanced citizen participation in government decision-making is a powerful way to address the complex governance and development challenges we have faced for so long
- **Openness benefits citizens:** Open governments are built on robust and inclusive engagement between citizens and governments. Fluid two-way communication between citizens and governments allows governments to better understand citizens' true needs and to respond to those needs.
- **Inclusion of various sectors:** voice of marginalized sections of the society, gender inclusion and financial inclusion can be considered.

**Example:** RTI Act achieved its prime objective of bringing about a qualitative change in the governance of this country by bringing transparency but recent amendments of The Right to Information (Amendment) Bill, 2019 could have taken inputs from the public to make it less controversial and efficient.

**Disadvantages:**

- **Adverse effects:** Instead of yielding more accountability, however, these reforms [transparency reforms] have yielded more lobbying, more expense, more delay, and more indecision.
- **Difficult to work under surveillance:** Government officials cannot properly deliberate, collaborate and compromise when everything they are doing is being watched.
- **Personal details of individuals:** The difficulty of balancing further transparency of government, while also protecting the privacy of personal information, or information about identifiable individuals that is in the hands of the government.
- **Data protection:** Dealing with distinctions between data protection regulations between private and public sector actors because governments may access information collected by private companies which are not controlled by as stringent laws.

- **Protecting citizens:** There is also concern for protecting citizens' privacy so they are not exposed to "adverse consequences, retribution or negative repercussions" from information provided by governments

**Conclusion**

Openness and transparency centrally defines the processes, mediums and commitment a government chooses as the basis of how it shares information with its citizens. The importance of this process is that democracy requires citizen participation, involvement and meaningful engagement such that a government is able to lay bare its operational activities for open scrutiny by the public

