

**Mazdoor Kisan Shakti
Sangathan**

(a non-party peoples organisation)

and

The People's Right to Information



Towards a Just and Equal Society

MAZDOOR KISAN SHAKTI SANGATHAN, (MKSS) is a People's Organisation and part of the growing Non-party political process in India.

The MKSS, as the name indicates, works with workers and peasants in the villages of Central Rajasthan. It was set up by the people of the area in 1990 to strengthen participatory democratic processes so that they could live their lives with dignity and justice.

The MKSS was born with a struggle for community land. The subsequent struggle for minimum wages gave the people the insight that for accessing any right, the poor have to demand transparency and accountability of systems of governance. It was realised that the fundamental tool for ensuring transparency and accountability of the government and for that matter, all bodies that affect public interest, is access to relevant information.

Our Money; Our Accounts: MKSS and the Right to Information

By mid 1994, MKSS had formulated a specific demand for copies of financial records of expenditure incurred in the Panchayats. However, since there was no legal entitlement to relevant information even within the Panchayat for the people, they had to mostly rely on sympathetic officials for access to relevant documents. Once these records were secured, they were subjected to close scrutiny by the people of the concerned Panchayats, and public hearings were organised where residents came together to verify and audit the work of their Panchayat office through

individual and collective testimonies. Thus, the demand for transparency, accountability, social audit (physical audit by the people), and redressal, took shape with the first Public Hearing the MKSS organised in December 1994. This flagged off the struggle for **Right to Information**.

With government officials refusing to part with records, and the Rajasthan Chief Minister failing to keep assurances made in the State Assembly, a 3 year long struggle was waged to make relevant amendments in the Panchayati Raj Rules and enact a comprehensive legal entitlement for the People's Right to Information.

In July 1997, the Government of Rajasthan amended the Panchayati Raj Rules. The Rajasthan State Right to Information Act was finally enacted in May 2000 after a sustained campaign.

However, this Act suffers from many lacunae and the Right to Information Campaign in Rajasthan continues to highlight these shortcomings through its primary focus on operationalising the Act for ordinary people. Public Hearings continue to be held, and have moved beyond development works to many other areas of human, development and democratic rights. These have been powerful illustrations of the scope and potential of the right of citizens to question, examine, audit and finally control every act of a democratic government.

In a democracy, without the right to know there can be no real right to exercise power and make the Government and the State accountable to its people. The Constitution of India acknowledges that the people are the sovereign power of

independent India. And to exercise their sovereignty in a responsible and ethical manner, the people must have the right to know.

Today the elected government and the permanent government (bureaucracy) in the country exercise power arbitrarily and are riddled with corruption, without any real accountability to the people. Corruption impacts poor people's survival and the right of a citizenry to decide what would benefit the nation as a whole.

Right to Information is an effective tool to control arbitrary exercise of power and corruption, and to secure the Government's accountability to its people. Exercising the Right to Information can transform the relationship between people and their Government by empowering people to exercise control over governance. It is of utmost importance in preventing anti-people policies and is a crucial part of the larger movement to deepen democracy and ensure democratic rights, development rights and human rights.

It is now recognized that Right to Information legislation is necessary to enable enforcement of the citizens fundamental rights under both the Freedom of Expression under Article 19 – (1)A and the Right to Life under Article 21 of the Indian Constitution.

**The Right to Know; the Right to Live:
The National Campaign for Right to
Information**

With this understanding, the NATIONAL CAMPAIGN FOR THE PEOPLES RIGHT TO INFORMATION (NCPRI) was created in 1996. The NCPRI's mandate is to work towards drafting and campaigning for the legislation to be passed at the Centre (Parliament) and the States; as well as to support people's struggles and groups agitating for accessing government records.

Since 1996, Right to Information Laws have now been enacted in the States of Tamil Nadu (1996), Goa (1997), Madhya Pradesh (1998), Rajasthan (2000), Maharashtra (2000), Karnataka (2000) and Delhi (2001). The contents of the National Bill, that was placed in Parliament in June 2000 was before a Select Committee, which has now placed it in the Lok Sabha (Parliament).

The State Acts are far from satisfactory. Some of them only pay lip service to the notion of the right to know. This constant denial of access to information only proves that information is power, and the ones who have it do not want to share it. But it shows too, that the Government cannot overtly deny the people's right to know, and that we need to continue our struggle to get better laws enacted and implemented.

While people struggle to mould a more meaningful and accountable democratic framework for themselves, vital decisions concerning people's lives and livelihoods are being usurped by distant supra national bodies

like the World Trade Organisation, much beyond the scope of national governments. The challenge before all movements for democratic rights will be to find ways to dismantle this new, more distant, yet more powerful form of control. This process will also have to begin with simple and straightforward questions – questions that unmask the web of exploitative relationships. With increasing concentration of economic and political power, information in the hands of the general public is the tool that can help break these concentrations.

National Governments must be forced to work with the people's mandate, where links with the world outside simply cannot derail the poor and the entire citizenry's right to live, to know and decide on matters that affect our lives.

With increasing militarisation the world over and the frequent militarist postures of leaders, it is imperative that the citizens of every country know what is being done in their names and exercise their right to decide.

Denial of Right to Information, taken to its logical conclusion, implies the denial of the right to make informed decisions. We need to start exercising our rights. The stakes are too high, it is a question of our lives, indeed, the life of this planet...

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