Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2026 – ISSN 2582-7820

Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

Right to Information and Transparency

Jigisha Yadav[a]

[a]IILM University Gurugram, India

Received 27 August 2026; *Accepted* 28 September 2026; *Published* 03 October 2026

"The right to know is the right to live."

- Aruna Roy

The Right to Information Act 2005[1] *has perhaps been one of the most significant legislative enactments in terms of creating a framework of transparency and accountability in the Indian context. The legislation makes the constitutionally guaranteed right to know a procedural right that ensures the role of the State shifts from being an owner of the information to being the trustee of the same. There has been much academic discussion on issues related to the right to information such as the constitutional foundation of the right, the right's interpretation in law courts, official bureaucracy's resistance against it, conflict of interests with privacy, public participation, and transparency and digital governance. Nevertheless, very little research has been carried out regarding another equally significant question of whether there are inequities in transparency in relation to rural vs urban citizenship. In this paper, it is contended that it will not be possible to evaluate the right to information merely from the point of view of statutory provisions or appellate decisions but rather from a more pragmatic perspective based on the accessibility of the right. Through the means of statutory interpretation, policy analysis, institutional discourse, and comparative methodology, this paper introduces the notion of transparency equity and illustrates that transparency cannot be analysed exclusively from the perspective of being a legal value, but rather needs to be considered as an access framework. This paper further argues that a fresh outlook on the right to information and transparency in India necessitates a shift from disclosure to inclusion.*

[1] Right to Information Act 2005

Keywords: *transparency, digital divide, rural-urban divide, transparency equity, digital governance.*

INTRODUCTION

The passage of the Right to Information Act of 2005 was significant in shifting the country towards a culture of accountability rather than one of confidentiality in matters of governance. Procedural provisions of the Act empower people to access information held by public authorities, make officials responsible for replying to applicants within stipulated deadlines, and provide appeal mechanisms when the official denies requests unreasonably. As such, there are many associations between this constitutional right and democratic practices, anti-corruption measures, and governance in the republic, as it should be open to scrutiny at all times.[2] However, in evaluating the practice of transparency in this context, the material circumstances of invoking this right should be taken into account. While the right may be available to all citizens of the republic in general, the effectiveness of invoking it depends on a range of factors, including awareness, education, connectivity, distance, response rate, and experience with the system. Against the backdrop of contemporary Indian governance, which increasingly relies on technology, it becomes important to ask whether digital transparency has been equally beneficial for everyone.

However, this paper will argue that the concept of right to information and transparency needs to encompass the aspect of access inequity in the transparency framework itself. This does not imply a debate regarding the existence of the RTI Act or the legality and constitutional recognition of the Act because such facts are already well documented. What this discussion entails is whether or not the infrastructure of transparency replicates the rural-urban divide that prevails across other public services. When an individual in the city can apply online, pay online, monitor his/her application online, and receive a prompt response compared to a rural individual who faces internet connectivity problems, ignorance of processes, and distance to the concerned authorities, then, despite being equitable in theory, the RTI could be functioning as an unequal system in reality.

[2] Osama Manzar and Arpita Kanjilal, 'Becoming Digital Citizens' (*Goethe-Institut Max Mueller Bhavan*, 01 January 2025) <https://www.goethe.de/ins/in/en/kul/fmd/afu/26335378.html> accessed 29 June 2026

Thus, the thesis of this paper suggests that transparency should not be considered solely as a legal phenomenon but also as a mechanism for access equity. A comprehensive right to information debate requires an analysis of whether the country is transitioning from information inequality to transparency inequality. This paper seeks to address the gap through an in-depth analysis of rural-urban disparities in the application of the right to information, staying within the wider framework of the right to information and transparency.

HISTORY AND FOUNDATION UNDER CONSTITUTION AND STATUTE

The right to information in India has derived its legitimacy from the wider constitutional right to freedom of speech and expression provided under Article 19(1)(a)[3], which has been held in several court decisions to include the right to know on the part of citizens. The Right to Information Act, 2005, on the other hand, gave procedural teeth to this constitutional right by specifying the procedure, time limit, appeals, and duties to disclose proactively. While disclosure of the document was certainly important, the more critical normative move involved the transformation of the state from being the owner of information to being its trustee.

According to the Central Information Commission[4], under Section 25[5], there is an obligation to prepare annual reports regarding its implementation, including how many applications have been received, how many were refused, on what grounds, and any recommendations regarding improvement therein. It shows that transparency is not a passive idea but rather an administrative process which needs constant monitoring and correction. The mere presence of such an obligation indicates that the implementation of RTI needs to be evaluated rather than just approving it doctrinally.

This online system created by the Government of India further illustrates how the State has acknowledged technology as another important medium through which the right can be realised. RTI Online enables the citizen to submit the request, pay the fees, and even monitor its progress online. Similar is the case with state-level RTI systems like Delhi's RTI Online

[3] Constitution of India 1950, art 19(1)(a)
[4] 'Monitoring and Reporting' (*Central Information Commission*, 29 May 2025) <https://cic.gov.in/monitoring-and-reporting> accessed 29 May 2026
[5] Right to Information Act 2005, s 25

portal. While there is no doubt that online systems have made it easier for the citizen to access information, it still raises a constitutional issue - whether the lack of an equally advanced digital facility, among other factors, indirectly discriminates against those who are already marginalised.

TRANSPARENCY EQUITY CONCEPT

In terms of the scope of this assignment, transparency equity can be defined as the necessity of legal transparency being followed by reasonable equality of procedural access to the information in question across the board. It is impossible to talk about equity if, while being theoretically universal, a particular right is actually rather hard to exercise because of the way it is organised.

It becomes relevant from the perspective of the idea of digital governance. Given the fact that the quickest and easiest way to gain access to information in question might turn out to be digital, and that digital access tends to be geographically and socially unequal, the transparency might prove to be unequal in quality. While such an inequality would not necessarily mean discrimination, it might result in de facto exclusion due to reliance on the information architecture which is not universally accessible.

From the perspective of constitutional analysis, transparency equity provides another layer of interpretation for the right to know. Modernising the information architecture without paying attention to the issue of digital access means reducing the democratic potential of transparency.

RURAL -URBAN POPULATIONS AND CONDITIONS OF ACCESS

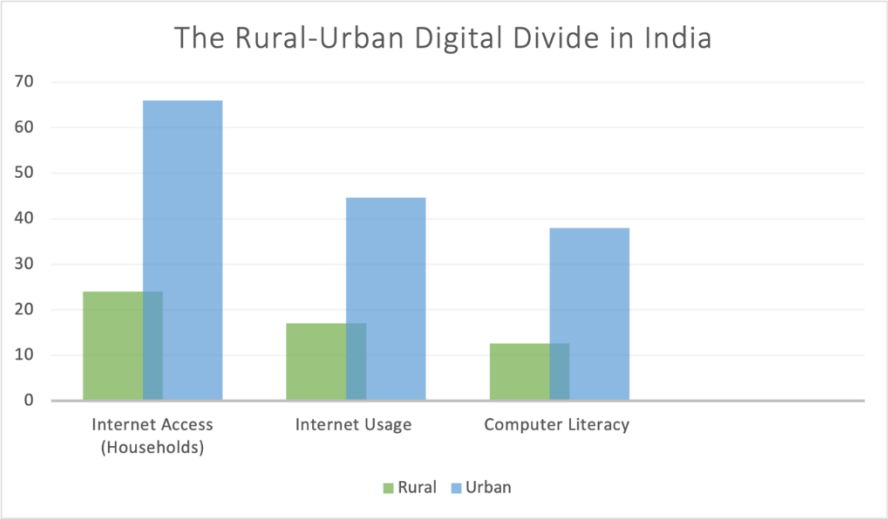
There is a significant digital divide in India that can be found in public discourse and parliamentary literature. From the figures reported in public literature, it becomes apparent that there is a difference in internet usage and digital skills between those who live in rural and urban environments. For instance, the data from the National Sample Survey Office (NSSO)[6] states that out of all households in India, 24 percent of rural and 66 percent of urban residents have access to the internet. According to the 75th round of the National Sample

[6] 'Bridging the Digital Divide: Empowering Rural India' (*NIIT Foundation*, 12 June 2024) <https://niitfoundation.org/bridging-the-digital-divide-empowering-rural-india/> accessed 02 July 2026

Survey (NSS)[7], it emerges that of people aged 15 to 59, 17 percent of the population in rural areas and 44.7 percent in urban areas have the capacity to use the internet. Moreover, out of individuals aged 15 to 59, 12.6 percent in rural areas and 38 percent in urban areas can use computers. The above statistics are relevant to RTI since an online RTI mechanism requires one to know how to fill out the forms, upload information, track the status of applications and make sense of the answers received digitally.

The rural citizen will require help in writing out the application, navigating the portal, paying fees, or identifying the relevant public body, whereas the urban citizen could go through the entire process on his own within minutes.

Such differences in burdens impact the content of transparency itself. Information access does not only concern the actual disclosure of information; it involves being able to begin the process, maintain it, understand the process, and potentially appeal it too. The moment there are significantly higher burdens placed on one group, the transparency system ceases to be procedurally equal even if the law itself is neutral.



DIGITAL RTI PLATFORMS AND INEQUITABLE ACCESS

The RTI Online Services website provided by the Indian government is an attempt to create a centralised system that makes it possible for people to file requests, pay money, and check the status of their applications online. There is no doubt that this approach offers many

[7] 'RAJYA SABHA UNSTARRED QUESTION NO. 1192 TO BE ANSWERED ON: 11.02.2022 RURAL-URBAN DIGITAL LITERACY' (*Digital Sansad*, 11 February 2022) <https://sansad.in/getFile/annex/256/AU1192.pdf?source=pqars> accessed 02 July 2026

benefits. It decreases the amount of paperwork involved, streamlines procedures, records all changes in application statuses, and ultimately brings transaction costs down for both citizens and officials. Examples of other state-based services include the Delhi RTI Online service.

At the same time, digital technologies, which offer efficiency and convenience, tend to be highly exclusionary in cases where the environment does not provide sufficient support for the use of such technologies. The very fact that someone has Internet access, is literate, speaks the language, and feels comfortable dealing with government websites does not mean that all of these criteria are met.

The problem is made worse when filing systems offline become slow, less apparent, or casually downgraded compared to digital systems. Without even having any direct law discriminating against offline applications, a public body may be able to process digital applications faster simply due to their superior manageability. Gradually, digital applications become the standard and offline applications the exceptional case. Here, equality of access begins to slip away.

BARRIERS BEYOND TECHNOLOGY

The gap between rural and urban areas when it comes to the accessibility of RTI is not only because of the availability of the internet in the rural sector. It is procedural as well. First of all, one needs to know about the RTI Act: that it is possible to turn his or her grievance into an application for obtaining some information, know who should answer him/her, how to write it, and what kind of compensation he/she will have in case something goes wrong. This kind of information is hard to find in rural areas due to lack of educational opportunities, knowledge about law and RTI, and access to media.

Institutional distance is also important. For a city resident, it would be quite easy to go to a government office, legal services, use photocopier services and even Internet cafes, but for a resident of rural India it might be quite difficult for different reasons.

Language and user interface are also relevant considerations. Should a digital portal be bureaucratic in nature, rely extensively on written language, or be insufficiently adapted to

illiterate people, it would favour people who have administrative skills. In a country where issues of accessibility are still very much a problem, efficiency does not mean inclusiveness.

EMPIRICAL EVIDENCE: RESULTS OF THE SURVEY QUESTIONNAIRE ON AVAILABILITY OF RTI

A survey questionnaire was distributed among 52 people, and the questionnaire remained open until 5 July, 11:59 p.m. All the results obtained in this timeframe have been analysed in the current study. The sample was mainly urban because 88.5% of the respondents were from urban areas and 11.5% were from rural areas; hence, the results indicate major concerns rather than a statistically representative perception of the whole population. Lack of knowledge on how to use digital devices accounted for the inability of rural citizens to apply for RTI on the internet in 63.5% of cases, while 21.2% mentioned no Internet access in rural areas, 9.6% stated their need for assistance in filling in the application, and the rest considered the procedure too difficult. Regarding personal capability, 71.2% expressed their confidence in filing an RTI application online independently, while 15.4% know about online RTI, but they don't know how to file applications through it, and 13.5% of them are unaware of the existence of online RTI. Regarding the most necessary reforms to facilitate RTI filing by rural citizens, 40.4% chose the provision for efficient offline filing along with online facility, 32.7% chose simplification of the online portals and the addition of regional languages, 17.3% chose assistance filing at village-level centres, and 9.6% chose a rural campaign for creating awareness. Finally, regarding whether the public authorities should provide both online and offline RTI filing options to the citizens, 71.2% said that both should be made mandatory, 25% agreed to the proposal but suggested that online should be prioritised over offline, while the rest of the respondents were almost evenly divided in terms of considering that only an online or offline mechanism is enough. These trends reveal that most respondents are aware of the significance of hybrid and assisted filing systems and design improvements, although not every single respondent has a similar perception.

Rural-Urban Digital Divide

Questions Responses 52 Settings

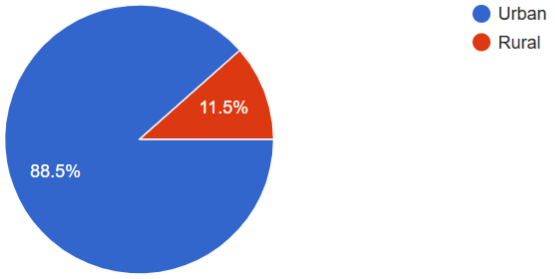
This form isn't accepting responses because it automatically closed on the specified date. Manage

Summary Question Individual

What is your location?

Copy chart

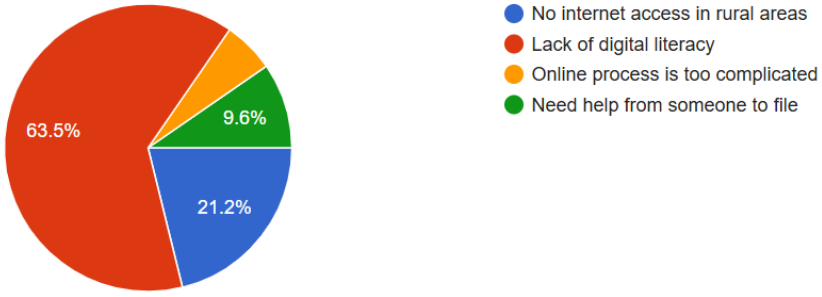
52 responses



In your opinion, what is the MAIN barrier preventing rural citizens from filing RTI online?

Copy chart

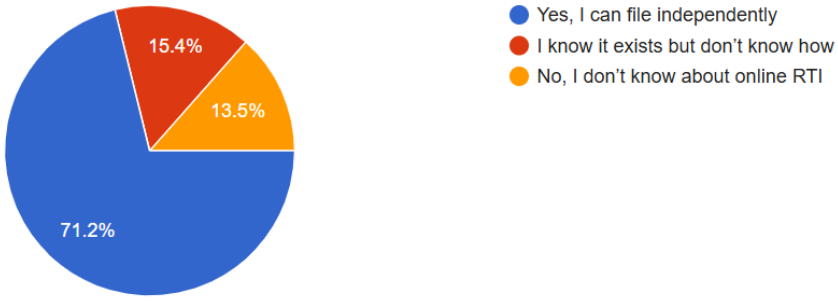
52 responses



Do you personally know how to file an RTI application online?

Copy chart

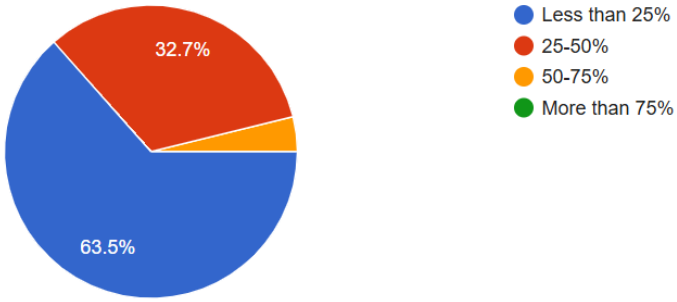
52 responses



In your opinion, what percentage of rural adults can file RTI online WITHOUT assistance?

Copy chart

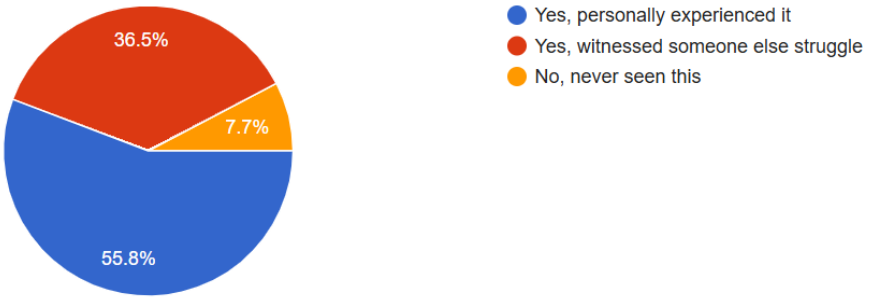
52 responses



Have you ever seen someone struggle with an online government portal due to technology issues?

Copy chart

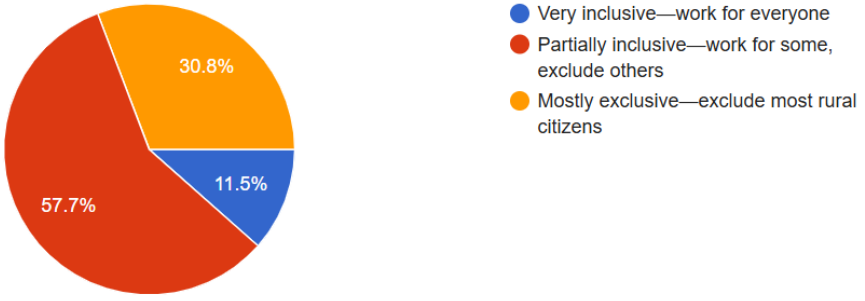
52 responses



How inclusive do you think current digital RTI portals are for rural citizens with limited technology access?

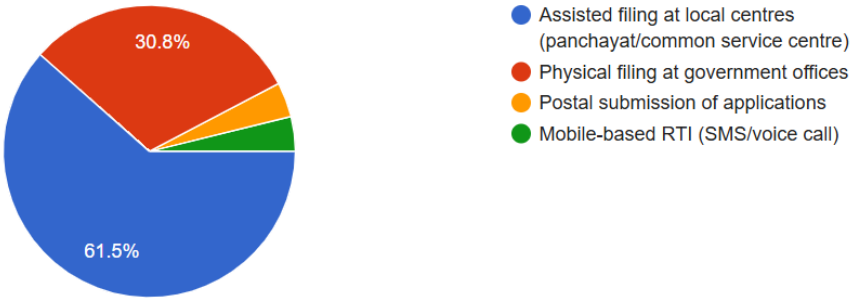
Copy chart

52 responses



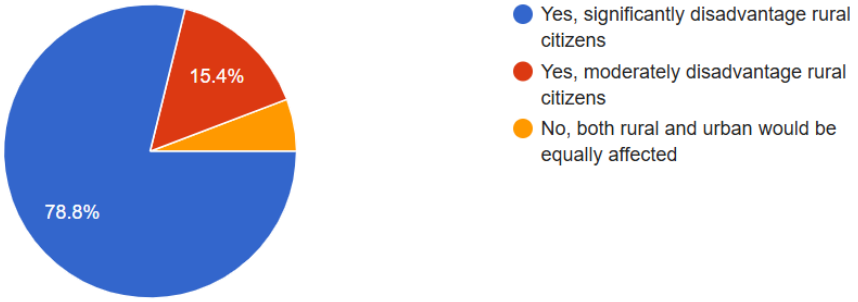
If rural citizens cannot use online RTI, what should be the PRIMARY alternative? Copy chart

52 responses



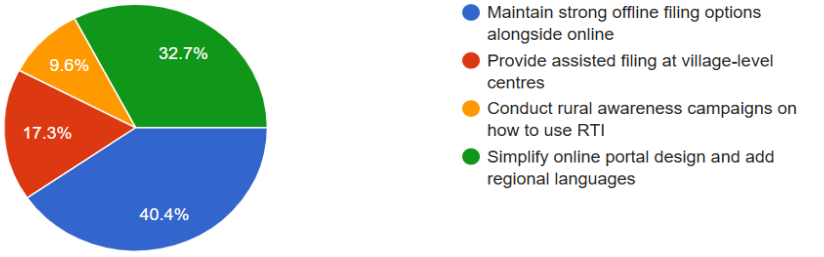
Do you believe making RTI primarily online (digital-first) would disadvantage rural citizens? Copy chart

52 responses



Which single change would MOST improve RTI accessibility for rural citizens? Copy chart

52 responses



Should the government require public authorities to maintain BOTH online AND offline RTI filing options? Copy chart

52 responses



EQUITY FOR POLICY REFORM THROUGH TRANSPARENCY

With the core of RTI being the need for accountability of governance to its citizens, accessibility becomes a vital component of transparency policy. Thus, this paper presents an approach to the problem: First, there needs to be an improvement in hybrid access infrastructure. While online RTI tools must continue their operations and grow, it is important to ensure that they do not silently replace solid offline tools. Physical filing, assisted applications, common services assistance, and village-level facilitation must stay a part of the transparency infrastructure system. An individual should not be expected to be technologically independent to enjoy their constitutional rights.

Second, the RTI policy must be modified to incorporate assisted transparency in rural settings. The creation of such mechanisms as assisted filing and common services assistance will allow citizens to receive necessary help while preserving the present legal system. This measure allows maintaining the statute, which is currently in place, while addressing its social shortcomings.

Finally, increased awareness and design reform are crucial. The problem with RTI in rural India does not necessarily have to do with the lack of law but rather stems from ignorance about how it can be used. Hence, it is imperative to conduct informational campaigns regarding this issue, not only informing people about RTI itself but also instructing on how to use it. Furthermore, digital RTI tools ought to undergo design reforms.

Access Framework: Section 6(1) of the RTI Act, 2005[8] should be amended such that electronic means are not made exclusive and physical filing remains equally accessible and timely. Such an approach follows the dictum of State of Uttar Pradesh v Raj Narain (1975)[9], wherein Justice K.K. Mathew stated that people have the right to know about all governmental acts since public secrecy is opposed to the principles of democracy as mentioned under Article 19(1)(a).[10]

Assisted Transparency Procedures: The proposed amendment to Section 4(1)(b)[11] must confer power on Common Service Centres and Panchayats to help file RTI applications. This

[8] Right to Information Act 2005, s 6(1)
[9] *State of Uttar Pradesh v Raj Narain and Ors* (1975) 4 SCC 428
[10] Constitution of India 1950, art 19(1)(a)
[11] Right to Information Act 2005, s 4(1)(b)

proposal is based on Indian Express Newspapers v Union of India (1985)[12], which stated that when information is difficult to obtain because of complex procedure, the right itself remains unenforceable.

Awareness Campaigns & Design Changes: Section 4(1)[13] must prescribe awareness programs for rural areas in local languages. There should be user-friendly portal design so that the right to know is accessible in practice.

CONCLUSION

The Right to Information Act 2005 continues to be one of the most effective pieces of legislation in India promoting transparency, accountability, and citizen participation. However, an adequate assessment of the right to information and transparency requires consideration of the conditions under which it occurs rather than mere presence of the right alone. The present essay has suggested that rural-urban disparity in internet access is a significant but largely unaddressed threat to the practice of transparency.

As digital technology increasingly becomes the only medium of accessing public administration, disparities in terms of access to the internet, digital skills, knowledge of procedures, and proximity to institutions can convert a general legal right into an uneven practical possibility. This is not to say that digital RTI cannot be welcomed. On the contrary, there are many benefits that could accrue from such an effort. But merely improving efficiency cannot be considered a constitutional standard for transparency.

This is why the future of the right to information and transparency in India is not only dependent upon greater adherence to the disclosure principle, but upon an equally robust recognition of the principle of transparency equity. Unless the mechanisms of the RTI Act itself allow rural and urban citizens access to the right, with integrity, with respect, and with efficacy, the promise of the Act will always fall short of its potential for justice. While transparency must be both formal and social, the real test of RTI is the ability of each individual citizen to gain access to the mechanism by which that transparency occurs.

[12] *Indian Express Newspapers (Bombay) Pvt Ltd and Ors v Union of India and Ors* AIR 1986 SC 515
[13] Right to Information Act 2005, s 4(1)