

## TRANSPARENCY AND ACCOUNTABILITY OF POLITICAL PARTIES IN SAARC COUNTRIES

NIRU SHARAN<sup>1</sup> & RUDRESH RAJAN<sup>2</sup>

<sup>1</sup>Assistant Professor, Amity Law School, Noida, India

<sup>2</sup>B. Tech (Mechatronics), Pursuing-M.B.A. (BIMTECH) Gr Noida, India

### ABSTRACT

The Right to Information Act, 2005 (hereinafter referred to as the RTI Act) also known as the sunshine law, brought with itself, a promise of a new dawn for the Indian democracy. The Act claims to be devised to set out a practical regime of the Right to Information for citizens to secure access to information under the control of public authorities. Its intent being to usher in an era of transparency and accountability. Evidently the said Act has worked wonders, forming the basis for several public interest litigations; it has become a weapon for social change.

Not only India, but other SAARC countries have also recognized the freedom of information as a tool to empower its citizen, but the power of the same has not being utilized to its optimum, giving the nations an opportunity to both learn from each other's mistakes and to find inspiration in each other's success. Pakistan, being the first to issue an ordinance pertaining to same is an example of a wasted opportunity where the "Freedom of Information Ordinance, 2002" failed as a result of several national and administrative obstacles. There have been subsequent work including constitutional amendments and new legislations in Pakistan with respect to RTI, but the socio-political atmosphere seems to hinder the growth of the concept. Similarly, Sri Lanka, owing to its prolonged civil war has not been able to march forward with this idea, a strong bill is being worked on, but its fruition remains to be seen.

But inspiration can be drawn from Afghanistan, who has worked on establishing a RTI regime amidst all its difficulties. Maldives also became the 99th nation in the world to establish a RTI regime, followed by Bhutan which became the 100th nation to do so. Nepal also provides for Right to information and provides a positive example. The SAARC region, being in such close proximity is easily influenced by each other and decisions in one nation can have major effects on the entire region.

And thus, the question of keeping political parties outside the ambit of this historic Act, not only has the power to change the future political and academic discourse of India as a nation, but can be a defining moment for the future of the sub-continent where India has a well-recognized influence. Any decision will thus set a precedent that will transcend nation borders.

While the government and political parties stand in unison against The Central Information Commission's ruling opining that political parties come under the purview of RTI Act, several from the civil societies such as the Association for Democratic Reforms continue to fight the battle to bring political parties under the ambit of the Act. On one hand, the former believe that bringing the political parties under the Act would hamper their internal working and cause damage to the democracy and could in fact be used to harass political parties into inaction, on the other hand, the latter press that accountability is essential to ensure that the representatives of the masses function transparently and in turn to curb any

corrupt or undemocratic practices. So between this feud marked by amendments and public interest litigations by opposing groups, it is important that the good of the nation is given preference.

My paper would focus on the contemporary factors surrounding the debate of bringing political parties under the ambit of RTI Act. Taking into account, both the pros and cons of the situation, I would bring forth my opinion that not only political parties be brought under the RTI Act, but that the same should be done with utmost urgency. The paper with a holistic approach would consider the history of our nation, the status quo and the future, whilst also taking into account the SAARC region and the lessons learn from its contemporaries, so as to present a comprehensive study,

Drawing from empirical evaluations of the findings, my paper would chart out solutions and offer solutions to ensure that the political accountability and working of political parties are both safeguarded.

**KEYWORDS:** Political Parties, SAARC Countries, RTI Act