

E-GOVERNANCE AND ITS ROLE IN STRENGTHENING DEMOCRACY: THE INDIAN EXPERIENCE

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ABSTRACT

One of the most powerful products of the Indian democratic process is e-governance that has encouraged the state in its connection with the citizens to bow its back in favour of the use of information and communication technology (ICT). It has made it transparent in governance, responsible, transparent and efficient through digitization. The paper describes the Indian scenario of democracy with e-governance. It discusses the constitutional and legal context within which digital governance is led by insights into some of the most important Supreme Court decisions that have established some democratic norms concerning such issues as privacy, the right to access information and digital inclusion. Some of the flagship programmes such as Digital India, Aadhaar, MyGov, are also studied. Examples of e-Courts and RTI Online which are reflective of the future of the state in developing a more citizen based model of governance. These have enhanced availability of services, which have been encouraged participatory decision making, and provoked accelerated government reaction. Nonetheless, critical challenges still exist including the digital divide, data protection concerns and surveillance, and increasingly by security threats. The paper indicates that e-Governance in India is worth commending as it has achieved the following and inculcating democratic values, the future of its continuation is the trade-off between technological production and civil liberties. The Indian tale is the story of the possibility and the traps of digital democracy in diverse society.

Keywords: E-governance, Democracy, Digital India, Transparency, Privacy, Inclusion

1. INTRODUCTION

Democracy flourishes when people take part in decisions that affect their lives, when government is transparent and citizens hold it accountable, and when citizens have opportunities to shape better policy and practice. In the world's largest democracy, India, governing a population of over 1.4 billion people, the task of governance has led to unique innovations. Governance through E-governance provision of public service and public governance on ICT has become an important tool to rejuvenate democracy. India's e-governance has moved from the 1980s computerization to a big canvas of Digital India transformation. With integration of platforms like Aadhaar, My Gov, and UPI, electronic governance has come to stand as both a facilitator and protector of democratic ethos in a country where the judiciary recognized the digital rights.

2. CONSTITUTIONAL AND LEGAL FOUNDATIONS OF E-GOVERNANCE IN INDIA

The word 'e-governance' is not defined in Indian constitution, the principles are firmly empowered or entrenched in the democratic ideals of Indian constitution.

- a) **Freedom of Speech and Expression Art. 19(1)(a):** serves as tool for every citizen to keep himself informed and to sustain the mechanism of free communication; precondition for understanding various forms of government, accepting changes and

making progressive changes in government; Source of free delivery of ideas, thoughts, expressions and a medium for its growth; and freedom of e- governance .

- b) **Right to Equality (Article 14):** It calls for e-governance platforms to be inclusive and that citizens must have equal opportunities to access services.
- c) **Right to Life and Personal Liberty (Article 21):** expanded through judicial rulings to include the right to privacy, thus providing protection from abuse of digital data.
- d) **Right to Information Act, 2005:** Institutionalises the citizen's right to seek information, which is further supported through the digital RTI portals.
- e) **Information Technology Act, 2000:** gave legal recognition to electronic signatures, electronic records and cyber security, and paved way for establishment of Electronic Governance.

Taken together, these provisions establish a constitutional ecology in which e-governance can thrive under the canopy of democratic freedoms.

3. JUDICIAL CONTRIBUTIONS TO E-GOVERNANCE AND DEMOCRACY IN INDIA

The courts in Some of the seminal judgments that have helped to build up e-governance within the regime of democracy are:

I. State of Uttar Pradesh v. Raj Narain (1975)

In that case, Raj Narain sought disclosure of government papers as he challenged the election of Prime Minister Indira Gandhi. It said the public has the right to be informed about the government under Article 19(1)(a) of the Constitution. This judgment also reiterated transparency as a facet of democracy. Today, its essence is seen in RTI portals and open government data, which gives citizens digital access to government records.

II. S.P. Gupta v. Union of India (1981)

Known as the Judges Transfer Case, the Apex Court noted that openness in government is vital in a democracy. Ruling, Justice P.N. Bhagwati held that disclosures enhance public trust, maintaining secrecy erodes it. This is the principle that underpins the digital publication we are launching today of government orders, tenders and decisions.

III. Secretary, Ministry of Information and Broadcasting v. Cricket Association of Bengal (1995)

Although about telecast rights of cricket matches, the Court declared that airwaves are public property and must be used to advance citizens' rights to information. This expanded the notion of public benefit of ICT resources. The decision reflects India's digital broadcast policies as well as citizen platforms on the internet, where communication devices empower citizens.

IV. People's Union for Civil Liberties (PUCL) v. Union of India (2003)

In its judgment, the Court said that voters have sacrosanct right to know the criminal antecedents, assets and educational qualifications of candidates. This principal is now being practiced and enforced with, the different portals of the Election Commission, affidavits and candidate information available online there by empowering the informed democratic participation.

V. Justice K.S. Puttaswamy v. Union of India (2017)

In the Aadhaar-linked privacy case, a nine-judge bench declared privacy a fundamental right under Article 21. While Aadhaar was upheld for welfare delivery, the Court restricted its use in certain areas to prevent data misuse. This judgment is critical for e-governance because it balances efficiency with protection of democratic freedoms, ensuring that citizens' dignity is not compromised in the digital era.

4. MAJOR E-GOVERNANCE INITIATIVES IN INDIA

- **Digital India Mission** This mission was Launched in 2015, Digital India is the flagship program aimed at transforming India into a digitally empowered society and knowledge economy. Its three core pillars are:
- **Digital Infrastructure** as a Utility to Every Citizen (broadband highways, Aadhaar-based identity)
- **Governance and Services on Demand** (online portals, mobile apps, e-signatures)
- **Digital Empowerment of Citizens** (digital literacy programs, access to common service centers)
- **This initiative strengthens democracy** by reducing bureaucratic barriers and enabling direct interaction between citizens and the government.

I. Aadhaar: Digital Identity for All

The Aadhaar program, with over 1.2 billion enrollments, provides a unique biometric-based identity to residents. It facilitates direct benefit transfers (DBT) of subsidies and welfare schemes, reducing corruption and leakages. However, concerns about surveillance and privacy led to judicial safeguards in Puttaswamy (2017), ensuring a balance between welfare delivery and democratic rights.

II. My Gov. Platform

Launched in 2014, My Gov is India's official citizen engagement platform. It enables people to share ideas, participate in discussions, and give feedback on government policies. It is the digital-age embodiment of participatory democracy, allowing citizens to directly participate in policy-making.

III. Right to Information (RTI) Online Portal

The RTI Act, 2005 was a step forward in transparency and its online form has made information far more accessible. Citizens can now submit RTI applications online, monitor their status and obtain e-replies, thereby expediting the process and promoting transparency.

IV. E-Courts Mission

The e-Courts project of judiciary has facilitated online filing of cases, digital payment of court fees, virtual hearing and online case status and judgments. This will increase access to justice, particularly for people in remote areas, and help to protect democratic rights.

V. Digital Payments and UPI

Unified Payments Interface (UPI) had changed how we do digital transactions in India. By facilitating financial inclusion, and by limiting the informal cash-based economy, UPI is also contributing to transparent economic governance — essential to a vibrant and healthy democracy.

5. HOW E-GOVERNANCE STRENGTHENS DEMOCRACY IN INDIA

E-governance in our Nation does not merely represents the digitization of public administration but it has also transformed into a vehicle for democratic deepening. By enhancing transparency, promoting citizen participation, strengthening accountability, ensuring inclusion, and safeguarding fundamental rights, e-governance strengthens the very pillars of constitutional democracy.

a) Transparency

For instance, the Public Financial Management System (PFMS) allows citizens to track the flow of government funds in real time, reducing opportunities for leakages and corruption. Transparency forms the basis of democratic governance and e-governance has accomplished this to pursue this cause in India to a significant extent. With online markets, electronic payments and RTI interfaces, the opaqueness that would otherwise cover the bureaucratic mechanisms is removed. The Government e-Marketplace (GeM) is also introducing the publicity in the public procurement making all the transactions visible to the stakeholders.

The online RTI portal, coupled with the Right to Information Act in 2005 has established the right to transparency, resulting in the fact that citizens can obtain access to information about the making of decisions by government without necessarily struggling through bureaucracy. Court rulings like *State of Uttar Pradesh v. Raj Narain (1975)*, in which the Court ruled that citizens have a right to know about governmental activities, and *S.P. Gupta v. Union of India (1981)*, which expanded access to state information, set the stage for today's digital transparency regime. By codifying these principles, e-governance empowers citizen to demand power to be accountable.

b) Participation

E-governance also promotes democratic participation by establishing mechanisms for direct citizen participation in policy-making. MyGov, which was introduced in 2014, is a platform for citizens to give their suggestions and ideas, discuss government policy issues and take part in various polls and themes. Millions of people have participated in this social media to contribute their ideas on topics from environmental policy to education reforms, which has formed a climate of participatory government.

The trend in other areas too is towards digital consultations; eg, on environmental clearances or urban planning, where comments may be invited online. By reducing the barriers to participation, they enable a wider variety of views to be heard, especially among those who do not have access to traditional policy spaces. This virtual form of participation resonates with the dictum laid down in *People's Union for Civil Liberties v. Union of India (2003)* A citizen in a democracy, apart from the concept of electing a candidate, citizen has right to have an account influencing his public life & above all, a right to know about the criminal antecedents of presumptive elected candidate. He has a right to know how & from whom the presumptive elected candidate elect has earned his/her own money.

c) Accountability

Electoral accountability is a sine qua non of democracy, and e-governance mechanisms have spawned new tools to maintain the accountability of (at least some) functionaries to (some) of the citizens. Online grievance redressal systems such as the Centralized Public Grievance Redress and Monitoring System (CPGRAMS) enable citizens to file complaints against administrative inefficiencies and track their resolution in real time. This system reduces bureaucratic delays and provides measurable timelines for government responses.

In addition, the proactive disclosure of government data through platforms like the Open Government Data (OGD) Platform ensures that decisions and expenditures are open to public scrutiny. Judicial pronouncements have reinforced this principle: in *Secretary, Ministry of Information and Broadcasting v. Cricket Association of Bengal (1995)*, the Supreme Court held that the right to information is integral to democracy, as it allows citizens to monitor governmental actions. By digitizing accountability mechanisms, e-governance bridges the gap between the state and its citizens.

d) Inclusion

Grievance redressal online systems like the Centralized Public Grievance Redress and Monitoring System (CPGRAMS) allow the citizen to lodge complaints regarding administrative inefficiency and monitor the progress of its redressal in real time. The system cuts down bureaucratic tardiness and delivers quantifiable timelines for response by the government.

Besides, the anticipatory release of government information on websites such as the Open Government Data (OGD) Platform makes decisions and spending transparent to the public. Judicial decisions have also supported this doctrine: in *Secretary, Ministry of Information and Broadcasting v. Cricket Association of Bengal (1995)*, the Supreme Court considered that the right to information was part of democracy since it enables citizens to track government actions. . Through the digitization of accountability systems, e-governance narrows the gap between the citizen and the state.

Digital literacy programs, such as the Pradhan Mantri Gramin Digital Saksharta Abhiyan (PMGDISHA), aim to equip rural households with basic technological skills, thereby bridging the knowledge gap. States like Kerala, which has achieved nearly universal digital literacy, demonstrate how inclusion can empower citizens to access government schemes and participate actively in governance. By dismantling barriers of geography, class, and literacy, e-governance expands the reach of democracy to the most vulnerable sections of society.

e) Rights Protection

Finally, e-governance's democratic legitimacy rests on its adherence to constitutional rights. Although digitization opens up new possibilities, there are also risks of over-surveillance, improper use of data, and exclusion. The judicial system of India has taken the initiative to guarantee that e-governance projects stay within the bounds of the constitution.

The Supreme Court deemed the right to privacy a fundamental right in the most important intervention, *Justice K.S. Puttaswamy v. Union of India (2017)*. In the view of Aadhaar and the any other surveillance technologies, this ruling was essential in ensuring that liberty is not sacrificed for governmental efficiency. Having these judicial safeguards incorporated into the digital governance framework, India demonstrates that technology can accompany the democratic rights.

6. CHALLENGES IN THE INDIAN CONTEXT

Although India has recorded remarkable achievements in relation to application of e-government, its democracy has its own draw backs possibilities are also remarkably functional and in fact somewhat constrained by a number of problems that are extremely structural and far technical. These obstacles mean that online digital governance cannot be a reform with a single shot and that its constant adaptations should be equivalent the highly heterogeneous requirements of society.

1. Digital Divide

The most pressing challenge is the digital divide. India, despite being the second-largest internet user base in the world, continues to suffer from unequal access. The Telecom Regulatory Authority of India (TRAI) reports that approximately 65% of rural households still do not have dependable internet access, demonstrating that rural internet penetration is still lower than urban levels. This divide is social as well as geographic. Women in rural regions are much less likely than men to own mobile phones or have internet access, which restricts their capacity to engage in digital governance. This gender digital divide is still glaring. A democracy of haves and have-nots could result from this division. Digitally excluded citizens find it more difficult to interact with government portals, file complaints, and take advantage of welfare programs than citizens with smartphones, broadband, and digital literacy. Important steps include initiatives like the Pradhan Mantri Gramin Digital Saksharta Abhiyan (PMGDISHA), which aims to make rural households digitally literate, and BharatNet, which aims to provide broadband connectivity to all 250,000 gram panchayats. But given India's size and socioeconomic disparities, more concerted and long-term efforts are required. E-governance runs the risk of exacerbating inequality rather than decreasing it if this gap is not closed.

2. Privacy and Data Protection

Privacy and data protection: another huge democratic challenge. Aadhaar formed the largest biometric identification system of the world and has transformed delivery of benefits and financial inclusion by facilitating DBT. It has also provoked heated discussion in regard to spy-craft and misuse of information. In some cases where sensitive details are involved including names, addresses and the bank account numbers, instances of Aadhaar related data breaches have been reported severally and this has left citizens doubting the level of security employed by the system in protecting their rights. The Digital Personal Data Protection Act, 2023, is just one of the steps in the right direction of providing a solid framework in data privacy. By the end of the day the effectiveness of such laws will be determined by the strength of their enforcement, clarity in data gathering of companies and the power of the citizens to protect their online rights.

3. Cyber security Threats

The further the governance is digitalized, the more it is exposed to hacking. There have been a number of high profile cyber attacks in India including ransom ware attacks on healthcare organizations and hacking of government databases using phishing attacks targeting users of online payment systems. Semi Click-bait Title notwithstanding, the vast majority of people already realize how dangerous it is to store sensitive information on-line, and they have become fairly cautious about it, particularly the courts and tax returns and data on public benefits information being out there, and the individual failures are deplorable. The government has been working toward this direction by creating such institutions as the Indian Computer Emergency Response Team (CERT-In) which is charged with monitoring and remediating cyber security threats and incidents. Some of the measures include the National Cyber Security Policy (2013) and the future revised policy that will strengthen the strategy to institutional resilience. Nevertheless, they continue to fight the knowledge war between citizens, shortage of skilled cyber security experts and the vast digital infrastructure of India. The unregulated ineffective cyber security can destroy the trust of citizens on digital tools of governance thus defeating democratic actions.

4. Capacity Building and Institutional Readiness

E-governance is not just about technology; it is about institutional change. major obstacle in India is lack of uniform capacity among states and government departments. Kerala, Karnataka and Andhra Pradesh and a few others have been pioneers in the use of e-services and advanced substructures. While some are playing catch-up because of bureaucratic inertia, a lack of digital training and financial constraints. Also, there is a general ignorance about accessing e-governance services, especially in rural areas which have a lower level of digital literacy. Schemes like DISHA (Digital Saksharta Abhiyan) And PMGDISHA seek to promote literacy, but with conditional success. Portals that don't enable citizens to engage digital systems have potential to become symbolic rather than substantive. Institutional capacity is equally critical. Large number of Government organizations are still operating on outdated technologies or there is no coordination among them due to which copy should not be repeated and True Copy is saved. This will be possible only by not focusing only on computerisation of processes, but reengineering of the governance model to serve the priority of citizens.

5. Balancing Challenges with Democratic Aspirations

A combination of these problems suggests that the concept of e-governance in India is a two-sided sword. On the other side it has already democratized the governance by revolutionizing it through the openness, efficiency and participation. Another, without bridging the digital divide, privacy protection, strong cyber capacity acquisition, and institutional development - it is dangerous to establish another line of fractures and to destroy trust and those solutions start by adopting a rights-based stance to e-governance: regarding connectivity as a common resource, the inviolability of private information, imposing the toughest regulations against cyber security and investments in digital literacy of the least privileged. By eliminating these structural barriers, India will get an opportunity to introduce e-governance into full play in deepening democracy rather than mass leave outs in the cold.

7. CONCLUSION

E-governance ceases to be merely a toolbox in India; it has developed a menu of democratic engagement. The analogy of incorporating ICT in the management process has helped India to shift towards increased transparency, accountability and effectiveness. All this is on Digital India and MyGov, progress being affected by the Modi Government in India. Online Development, Clean and RTI All the above changes are caused by the Open Government and led to the shift in the relationship between the citizens and the state. Nevertheless, the Judiciary is also charged with the constitutional watchdog to ensure technologically aided Basic human rights will not bow to public administration. Funning added at one point: The Court decisions (of 12-13 September 2005) above reiterate that e-governance in India cannot break away or divorce from democratic principles which are enshrined by Constitution.

However, there are many challenges still facing reform efforts. There exists an urban-rural or male-female gap in e-governance of a digital India. Such disparity has the risk of marginalisation of the disadvantaged groups, who are denied the fruits of modern technology. An intrinsic threat to the excessive reliance on digital infrastructure and resulting shortage of appropriate protection mechanisms, cyber breaches and data protection concerns. Although the Aadhaar incident did help in enhancing welfare service delivery, what it also taught us is that expediency cannot be at the cost of human dignity and of human rights.

Going forward, e-Government in India should expand in this manner, adopting new technology like artificial intelligence (AI), block chain and big data analytics such that it is

citizen-respecting and rights following. Such legislative actions as the Digital Personal Data Protection Act will definitely be an advantage, yet the constant work and attention are required to implement it. The course in question will be ideal provided that it is led by the principle of constitutionalism according to which one can enjoy both efficiency and individual freedom simultaneously. However, e-governance in India Praises democracy not only to improved services but to transforming the model of government to one where both and its citizens are responsible in running of affairs. Through inclusivity, branding ones own name in view awareness campaigns, transparency measures and public opinion polling bind-towards a policy consensus; and fortifying the innovative lower-case confrontation process, protest. With these (inclusivity, transparency and accountability exposed) factors, e-governance offers protection to the state of its democratic origins to another century to come.

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