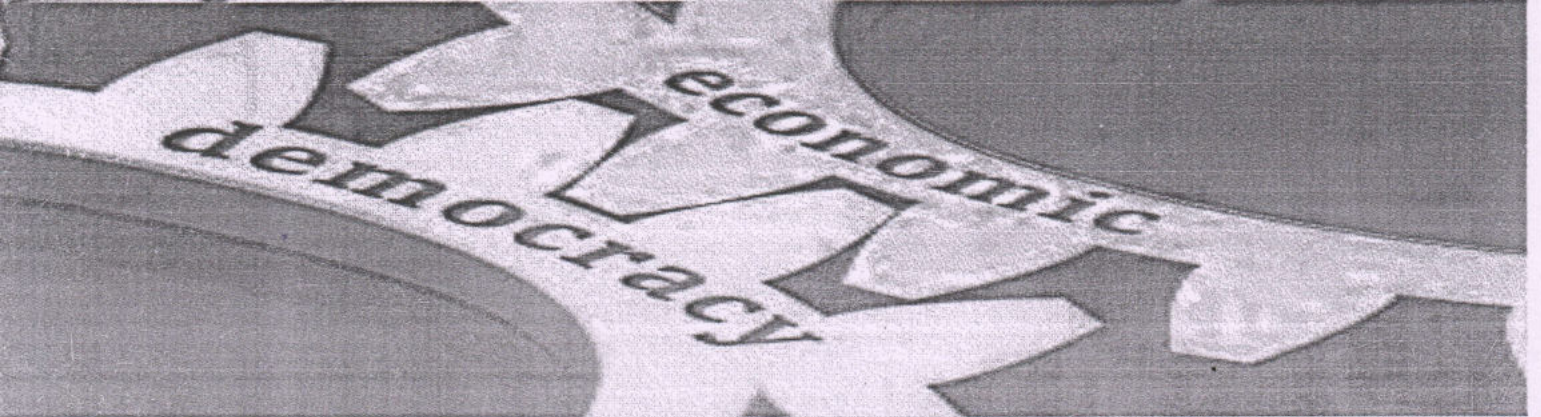


# SOUTH ASIA POLITICS

- Afghanistan-Pakistan Geostrategic Reality
- Role of Gold in the Currency Markets
- The RTI (Amendment) Bill, 2019
- Management of Public Healthcare in India
- Abrogation of Article 370 & 35A



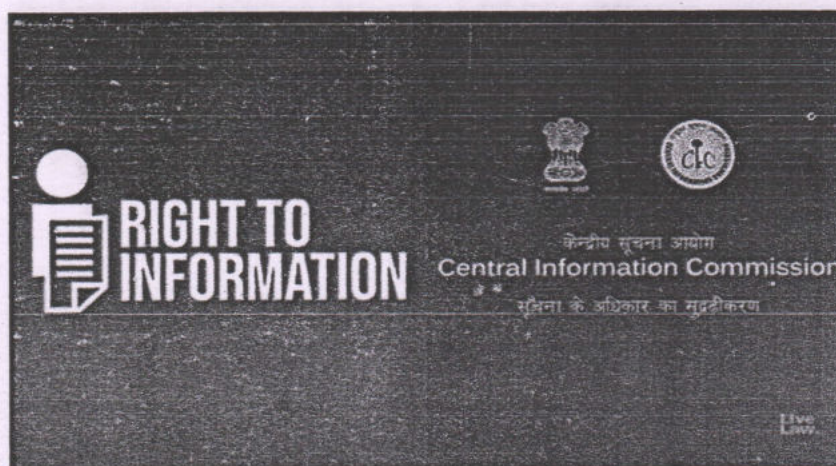
## Cost of Democracy

# The RTI (Amendment) Bill, 2019

M R Biju

Right to Information (RTI) is act of the Parliament of India to provide for setting out the practical regime of the right to information for citizens and replaces the erstwhile Freedom of information Act, 2002. Under the provisions of the Act, any citizen of India may request information from a “public authority” (a body of Government or “instrumentality of State”) which is required to reply expeditiously or within thirty days. The Act also requires every public authority to computerise their records for wide dissemination and to proactively certain categories of information so that the citizens need minimum recourse to request for information formally. This law was passed by Parliament on 15 June 2005 and came fully into force on 12 October 2005. Every day, over 4800 RTI applications are filed. In the first ten years of the commencement of the act over 17,500,000 applications had been filed.

In India, the organisation called Mazdoor Kisan Shakti Sangathan was instrumental in the passage of RTI Act. Aruna Roy is the mastermind behind the RTI Act 2005. RTI is a legal right for every citizen of India. The authorities under RTI Act 2005 are called quasi-judicial authorities. This act was enacted in order to consolidate the fundamental right in the Indian constitution ‘freedom of speech’. Information disclosure in India is restricted by the Official Secrets Act 1923 and various other special laws, which the new RTI Act relaxes. Right to Information codifies a fundamental right of the citizens of India. RTI has



Logo of Central Information Commission

proven to be very useful, but is counteracted by the Whistleblowers Act.

Transparency seems to be the only means for sustaining democratic governance. That is why the right to information has been legislated in about 70 countries of the world, and another 30 countries are in the process of legislation. It was in this context that the RTI was enacted in India in 2005. The experience of 5 years shows that the response to this Act has been very positive and optimistic. It has also been widely welcomed by the people at all levels. They have been seeking various types of Information from different authorities. The RTI Act confers on all citizens the right to seek information and makes it the duty of the public authorities to disseminate the same for better governance and accountability. It covers the central, state and local governments and recipients of Government Grants but does not apply to the intelligence and security organisations except if the information released to the

allegations of corruption. Against this back drop, an attempt has been made here to examine the fundamental linkages and differences between RTI Act 2005 with the Right to Information Amendment Bill, 2019. This paper has been categorized under four major heads. Part-I examines the legislating right to information in Indian Context, Part-II makes an Indepth critical enquiry on the features as well as working of the RTI Act 2005. Part-III Unearths the salient features of the Right to Information (Amendment) Bill, 2019. and the Concluding part presents the future issues and challenges of this legislation.

## Part – I Legislating the Right to Information in India

Objections to the Official Secrets Act have been raised ever since 1948, when the Press Laws Enquiry Committee recommended certain amendments. In fact, the Act has been used time and again to suit the purposes of the government. In 1977, a Working