

HISTORY OF CONTEMPORARY INDIA  
MODULE IV-DEMOCRATIC CULTURE IN  
INDIA



**TOPIC: RIGHT TO INFORMATION ACT 2005**  
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# RIGHT TO INFORMATION ACT 2005



- It sets out the rules and procedures regarding citizens' right to information.
- It replaced the former **Freedom of Information Act, 2002**.
- This act was enacted in order to consolidate **the fundamental right in the Indian constitution 'freedom of speech'**. Since **RTI is implicit in the Right to Freedom of Speech and Expression under Article 19** of the Indian Constitution, it is an implied fundamental right.
- The Act also provides for appointment of Information Commissioners at Central and State level.
- Public authorities have designated some of its officers as Public Information Officer. They are responsible to give information to a person who seeks information under the RTI Act.



- **Time period:**
- In normal course, information to an applicant is to be supplied within 30 days from the receipt of application by the public authority.
- If information sought concerns the life or liberty of a person, it shall be supplied within 48 hours.
- In case the application is sent through the Assistant Public Information Officer or it is sent to a wrong public authority, five days shall be added to the period of thirty days or 48 hours, as the case may be.



- **Applicability of RTI to:**
- **Private bodies:**
- **Private bodies are not within the Act's ambit directly.**
- In a decision of **Sarbjit roy vs Delhi Electricity Regulatory Commission**, the Central Information Commission also reaffirmed that **privatised public utility companies fall within the purview of RTI.**
- **Political parties:**
- The Central Information Commission (CIC) had held that **the political parties are public authorities and are answerable to citizens under the RTI Act.**
- But in August 2013 the government introduced a Right To Information (Amendment) Bill which would remove political parties from the scope of the law.
- Currently no parties are under the RTI Act and a case has been filed for bringing all political parties under it.



- Supreme Court of India on 13 November 2019, upheld the decision of Delhi High Court bringing the office of Chief Justice of India under the purview of Right to Information (RTI) Act.