

BBA.LL.B (HONS.) – VII-SEMESTER

RIGHT TO INFORMATION

COURSE CODE:

Course Objective: The subject deals with law relating to right to information which is one of the fundamental right implied under article 19(1)(a) of the constitution and it emphasis on application to provide a strong understanding of the fundamental concepts related to RTI.

Course Outcomes:

1. To understand the basic principles of Right to Information
2. To analyse the principle of Administrative Discretion and Transparency
3. To comparatively analyse the importance of Right to Information in Judicial proceedings
4. To understand various procedures in filling application of RTI
5. To identify and able to conduct research on emerging trends in Data interpretation and RTI

UNIT-I: Transparency and Information: Historical Evolution of Right to Information, Need for Information, The Need of Strengthening the process of transparency, Administrative Efficiency and Right to Information, Public Accountability and Right to Information, RTI and its relationship with Good Governance, International Perspective of Right to Information, UDHR, ICCPR, ICESCR etc, Position in other countries, Indian Constitution and Right to Information: Freedom of Speech and Expression and Right to Know/ Information under Article 19(1)(a) of the Constitution, Right to Information and right to life and personal liberty (Article 21), From Right to Privacy to Right to Information, RTI and Rights of Arrested Person (Article 22), From Right to Vote , Right to Know the Antecedents of Election Candidates, From Right to Environment, Right to Know Environmental Information

UNIT-II: Legislating the Right to Information: History, Attempts to Breach the Officials Secrets Act, The Press Council, NIRD draft, The Freedom of Information Bill, 2000, State Laws and Administrative Instructions: The Goa Right to Information Act, Tamil Nadu Right to Information Act, The Madhya Pradesh Right to Information Act, 2000, The Rajasthan Right to Information Act, 2000, The Karnataka Right to Information Act, 2000, Delhi Government Orders on Right to Information, RTI and other Laws: The Indian Evidence Act, 1872 (Section 76), The Consumer Protection Act 1986 (Section 6), The Public Records Act, 1993, The Representation of Peoples Act, 1950, Salient Features of the Right to Information Act 2005: Scope and applicability, Interpretation Clause, Information, Right to Information, Appropriate Government, Competent Authority, Public Authority etc, Citizens Right to Information (Section 3) and practical regime of RTI, Enforceability of RTI, Mechanism under the Act

UNIT-III: Public Authority under RTI Act: Definition of Public Authority, Comparison with definition of 'State' under Article 12 of the Constitution of India, Suo Motu Disclosure by Public Authorities, Obligations of Public Authority (Section 4), Judicial interpretation of Public Authority , Status of NGO's, Political Parties, Private Persons etc., Nature of RTI, Exemptions and Limitations: Nature of RTI, Whether absolute, Exemptions under Section 8 of the RTI, Act, Public Interest v. Protected Interest, Copyright exemption, Severability, Third Party Information, Impact of Exemptions, Exceptions and Limitations on the RTI

UNIT-IV: Implementing RTI Act: Procedure to Obtain Information, Application for Information (Section 6), Information Fee and Cost of Information, Role of APIOs and PIO, Time Schedule for disposal for Application , Disposal of Third Party Information and procedure, RTI and Human Rights, Composition, Powers and Functions of the Information

Commissions: Constitution of Information Commissions: Central Information and State Information Commission, Qualification of Information Commissioners and Chief Information Commissioner, Powers and Functions of the Information Commissions, Working of the Information Commissions: Analysis, Activism from the Information Commission: Theory and Effect Ecological Perspective of Right to Information

UNIT-V: RTI and Environmental Protection, Position under the Environmental Laws, Environmental Impact Assessment, Environmental Public Hearing, Indian Ecological Perspective of Right to Know, Right to Information Act and Environment, Case Study, Right to Information and Implementation Issues: Information Audit, Spreading RTI Awareness, Misuse of RTI, Role of RTI Activists/NGO's, Balancing Private Information and Public Interest, Achieving objects of RTI, The Way Forward.

Text Books:

1. KM Shrivastava, The Right to Information: A Global Perspective (2013)
2. Sairam Bhat, Right to Information (2012)
3. Rajvir S Dhaka, Right to Information and Good Governance (2010)
4. J N Barowalia, Commentary on the Right to Information Act (2010)