

# IMPLEMENTATION OF RIGHT TO INFORMATION ACT, 2005

Vol. 1: Select DOPT, Govt. of India Guidelines  
& CIC Orders

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## PROLOGUE

Right to Information Act 2005 gives unprecedented powers to the citizens to hold public authorities accountable for performance of the governmental institutions and making them more transparent in their actions. Understandably, these institutions, which have traditionally not been used to sharing information with public, have inhibitions in providing information, often taking recourse to some grounds for exemptions provided in the Act. Many times these grounds are not held valid by information commissions and courts causing avoidable embarrassment to public authorities. RTI Act, which has very radical provisions is perceived as potentially the most potent intervention for good governance.

Overtime, various provisions of the Act have been interpreted by SIC, CIC, High Courts & the Supreme Court through their judgments and there is now greater clarity on the provisions than there was a few years back. These judgments, though voluminous, provide interesting and useful insights to public authorities into how a particular provision needs to be used while handling RTI applications. DOPT have been issuing guidelines for implementing RTI by public authorities under Govt. of India, which could be adopted *mutatis mutandis* by state government agencies. Similarly, a large number of CIC judgments available on a variety of issues can be of great assistance to public authorities in arriving at RTI related decisions on day to day basis.

Mr. S. Venkatesh Nayak of Commonwealth Human Rights Initiative, an International NGO engaged in Right to Information advocacy, training & research in many countries including India has identified some important DOPT guidelines and CIC judgments which have been compiled in this publication. The publication is a compendium of another publication containing compilation of some select High Court and Supreme Court Judgments highlighting and interpreting some important provisions of the Act. The first edition of this volume was compiled in May 2009. This has undergone revisions and the fifth edition included some new DOPT guidelines and CIC orders replacing some in the fourth edition. This is the reprint of the fifth edition. To avoid adding bulk to this publication additional DOPT circulars and CIC orders have been compiled in a compact disc as a supplement to this material.

This valuable compilation, made by Mr. Venkatesh Nayak for Lucknow Management Association for use in training workshops organized by LMA on Implementation of RTI Act 2005, would be useful to all government agencies and legal practitioners handling RTI related matters. Mr. Nayak has been a lead trainer in these workshops & uses these cases to explain various provisions of the Act.

Lucknow Management Association acknowledges with thanks this contribution of Mr. Nayak.

Lucknow  
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A.K. MATHUR  
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