

# IMPLEMENTATION OF RIGHT TO INFORMATION ACT, 2005

Vol. 2: Select High Court and Supreme Court  
Judgments

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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 government 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 and the Supreme Court through their judgments and there is now greater clarity on the provisions than there was till 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. A large number of petitions have gone to various High Courts and the Supreme Court which have, through their judgments, provided clarifications and interpretations to various provisions of the Act.

Mr. S. Venkatesh Nayak, Programme Coordinator, Commonwealth Human Rights Initiative, an International NGO engaged in Right to Information advocacy, training & research in many countries including India has identified some judgments of High Courts and the Supreme Court which provide interpretations of a number of important provisions of the Act. These select judgments have been compiled in this publication. The publication is a compendium of another publication containing compilation of some important RTI related guidelines issued by DOPT, Govt. of India and CIC judgments, highlighting some important provisions of the Act. The first edition of this volume was compiled in May 2009. This is the Sixth edition which is a reprint of the fifth edition. Many important judgments were pronounced after the fifth edition was published but have not been added in this edition to avoid increasing the bulk of this publication. These have been compile in a compact disc which supplements 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 the contribution of Mr. Nayak.

Lucknow  
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A.K. MATHUR  
Secretary LMA

