

PREVIOUS YEAR QUESTION

UPSC 2016 · 15 marks

Discuss the Right to Information and underline challenges being posed before it.

• **FLOW SNAPSHOT** — how the answer moves**Intro routes**

R1 RTI Act 2005 as a working statute → right to know operationalised

R2 right to know rooted in Art 19(1)(a) → Bennett Coleman / Manubhai Shah / PUCL

Body flow

Art 19(1)(a) base + three cases → ends colonial secrecy → transparency + accountability → tracking funds / welfare / services / records → participatory governance → turn to working gaps → pendency, poor records, weak Section 4 disclosure → 2019 Amendment + commissioner independence → political appointments → Official Secrets Act 1923 + security exemptions → no penalties → activist attacks + resistance on political parties

Counter-view

statutory promise of openness vs ground reality of delay, secrecy and weak enforcement

Conclusion routes

R1 strong in design, weak in delivery → fix enforcement and commission independence

R2 transparency becomes real only when commissions are empowered and secrecy laws are aligned

The Right to Information Act, 2005 turned the citizen's right to know into a working statute. It lets citizens seek information from public authorities. Its roots lie in Article 19(1)(a).

In *Bennett Coleman and Co. vs. Union of India* the Court held that free speech includes the right to read and be informed. *Manubhai D. Shah vs. Life Insurance Corporation* affirmed the people's right to know.

PUCI v. Union of India tied information directly to free speech. The act dismantles the colonial culture of secrecy, builds transparency and accountability. It lets citizens track public funds, welfare schemes, civic services and official records, thereby strengthening participatory governance.

Its working, however is uneven. Pendency, delay, poor record-keeping and weak voluntary disclosure under Section 4 slow the flow of information. The RTI amendment act, 2019 raised doubts about the independence of information commissioners by altering their tenure and service conditions.

The Official Secrets Act, 1923 and security exemptions narrow disclosure and Information Commissions seldom impose penalties. Attacks on activists and resistance to bringing political parties within its scope further weaken the promise.