

The Right to Information Act, 2005: Empowering Citizens

Constitutional Law · Right to Information

Why the RTI Act Was Enacted

The Right to Information Act, 2005 operationalises the citizen's right to information as an extension of the freedom of speech and expression guaranteed under Article 19(1)(a). It replaced the more restrictive Official Secrets Act-era culture of government secrecy with a presumption of transparency.

Who Can Use It, and How

- Any citizen of India may file an RTI application with the Public Information Officer (PIO) of the concerned public authority.
- A nominal application fee is prescribed (waived for applicants below the poverty line).
- Information must ordinarily be furnished within 30 days; within 48 hours where the information concerns the life or liberty of a person.

Exemptions

Section 8 exempts certain categories of information from disclosure — for example, information affecting the sovereignty and integrity of India, cabinet papers, and information that would impede an ongoing investigation. Even so, Section 8(2) allows disclosure of exempted information where public interest in disclosure outweighs the harm to protected interests.

Practical Tips for Filing an RTI

- Frame the request as a specific, factual question rather than asking for an opinion or explanation.
- Address the application to the correct Public Information Officer for the relevant department.
- If no response is received within the statutory period, an appeal can be filed with the First Appellate Authority, followed by the Central/State Information Commission.