

Right to Information

KSLU LL.B. — Complete Exam-Ready Study Bundle (All Five Units)

KSLU LL.B. Study Bundle

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Medha-Academy.in · KSLU LL.B. · Optional-II · Complete Notes for All Five Units

Read this first page, then go to your unit. This single file holds the whole subject: how to use the notes, the rules that win marks, and all five units of content. Everything is in plain English, every Latin maxim is translated in [brackets], and every topic is built backwards from the real exam questions.

How to Use These Notes

What this is. A complete, exam-focused bundle covering all five units of KSLU Right to Information. Every topic is built from one question: *what will the examiner ask, and how do I score full marks?* High-frequency questions get the most space; the years listed under each question tell you where to spend revision time.

Who it is for. The first-time learner (understand before memorising), the revision student (fast high-yield recall), and the last-week crammer (which questions repeat and how to answer them). Each unit serves all three.

What is inside every topic — the same blocks, in the same order, so you always know where to look:

Block	Its job	The mark it earns
Previous Year Questions	Real questions + years asked	Tells you what to prepare and how often it repeats
The Hook	A true story / landmark-case opener	Makes it memorable; gives a strong opening line
Jurist / Statutory Quotes (<i>where useful</i>)	Exact quotable definitions & sections	Examiners reward precise, attributed authority
In Simple Terms	Plain-English translation	Ensures you <i>understand</i> , not just memorise
The Visual (chart)	Maps the topic structure	Recall and structure the whole answer at a glance
Case Laws	Landmark judgments + one-line ratio	Case names with years are pure marks
📋 Blueprint Tracker + ⚠️ Risk Alert	Answer plan + applied IRAC problem	Converts knowledge into a written, scoring answer

Each unit closes with a **Quick Revision & Case Law Table** for the final hour.

The 4-step study plan. (1) *Read the questions first* — the PYQ box tells your brain what to look for. (2) *Understand, then memorise* — read the Hook and simple-terms explanation, then learn the quotes, sections and case names. (3) *Trace the chart from memory* — if you can redraw it, you can structure the answer. (4) *Rehearse the Tracker and one Risk Alert* — this turns knowledge into marks.

The two answer tools, in brief. The 📋 **Essay Blueprint Tracker** breaks every long answer into ordered stages — an opening *Hook + Roadmap*, middle stages carrying the scoring core (definitions, sections, the comparison the examiner is really testing), and a final *Verdict* with a leading case. Structure alone lifts an average answer into a top one. The ⚠️ **Fact-Pattern Risk Alert** trains the “decide the case” questions using **IRAC** — **I**ssue, **R**ule (the section/principle/leading case), **A**nalysis (apply to *these* facts), **C**onclusion (a definite verdict with remedy).

The 10 Rules That Win Marks

These instructions repeat across every unit, so they are stated once here. Apply them to every answer.

1. **Lead with a definition + roadmap.** Open each long answer with a one-line definition and signpost the route your answer will take.
2. **Follow the Blueprint Tracker** for that topic, stage by stage — structure is itself worth marks.
3. **Name the case AND the year** every time. Precision earns marks; vague references do not.
4. **Quote the exact section** of the RTI Act (or the jurist) where the notes give it — attributed authority scores higher than paraphrase.
5. **Translate every Latin maxim in [brackets]** immediately — e.g. *suo motu* [on its own motion].
6. **For problem questions, use the four IRAC headings** clearly — Issue, Rule, Analysis, Conclusion — and spot the planted “decoy” fact the Risk Alert warns about.
7. **Always give a definite verdict.** End a problem with a clear outcome and the remedy; never leave it open.
8. **Use the chart’s structure** to organise the body of the answer, even though you write in prose.
9. **Close with a short, confident conclusion** — one or two lines that state the settled position.
10. **Manage time** so no high-mark question is left unwritten; a planned answer is faster than a jumbled one.

Disclaimer. *These notes are a study aid, not a substitute for the bare Act, Rules and prescribed textbooks. Cross-check section numbers against the official text; case positions may have developed since writing. © Medha-Academy.in · KSLU LL.B. · For personal academic use.*

UNIT I – Right to Information: History, Democracy, Constitution & the Supreme Court

KSLU LL.B. · Optional-II: Right to Information · Medha-Academy.in Exam-ready notes built from 21 previous-year papers + syllabus + prescribed texts.

Table of Contents

- [Topic 1 — RTI and Democracy](#)
 - [Topic 2 — Historical Development of Freedom of Information](#)
 - [Topic 3 — Constitutional Basis for RTI](#)
 - [Topic 4 — Supreme Court on the Right to Information](#)
 - [Topic 5 — Objects of the RTI Act, 2005](#)
 - [Quick Revision & Case-Law Table](#)
-

Topic 1 — RTI and Democracy

Previous Year Questions

- “Democracy thrives in transparency, but not in secrecy. Discuss.” [16M] — Jun2011
- “Free exchange of ideas is the basic pillar of a democracy. How can the RTI Act achieve this goal?” [16M] — Jan2012, Dec2015
- “Sunlight is the best disinfectant. RTI is best for openness and accountability. Discuss with case laws.” [16M] — Jun2012, Dec2012
- “Informed citizenry and transparency are essentials of democracy. Elucidate.” [16M] — Jun2013, Dec2014
- “How RTI fulfils Abraham Lincoln’s definition of democracy.” [16M] — Jun2015
- “RTI Act 2005 is a vital transformation in transparent administration. Examine.” [16M] — Dec2016, Jan2017, Jun2017
- “Objects & importance of RTI in democracy.” [16M] — Jun2018, Jun2019

The Hook

In 1975, in **State of U.P. v. Raj Narain**, the Supreme Court said the people of India have a right to know how their government works — because they pay for it. That one line became the seed of the entire RTI movement.

Explanation

Democracy means rule **by the people**. But people cannot rule if they are kept in the dark. To choose leaders, judge policies, and catch corruption, citizens need facts. The Right to Information (RTI) gives every citizen the legal power to demand those facts from the government.

The link between RTI and democracy works in four simple ways:

- **Accountability** — officials behave when they know they can be asked to explain.
- **Transparency** — secret files become open files; corruption loses its hiding place.
- **Participation** — informed citizens take part in governance, not just in voting.
- **Trust** — open government builds public faith in the system.

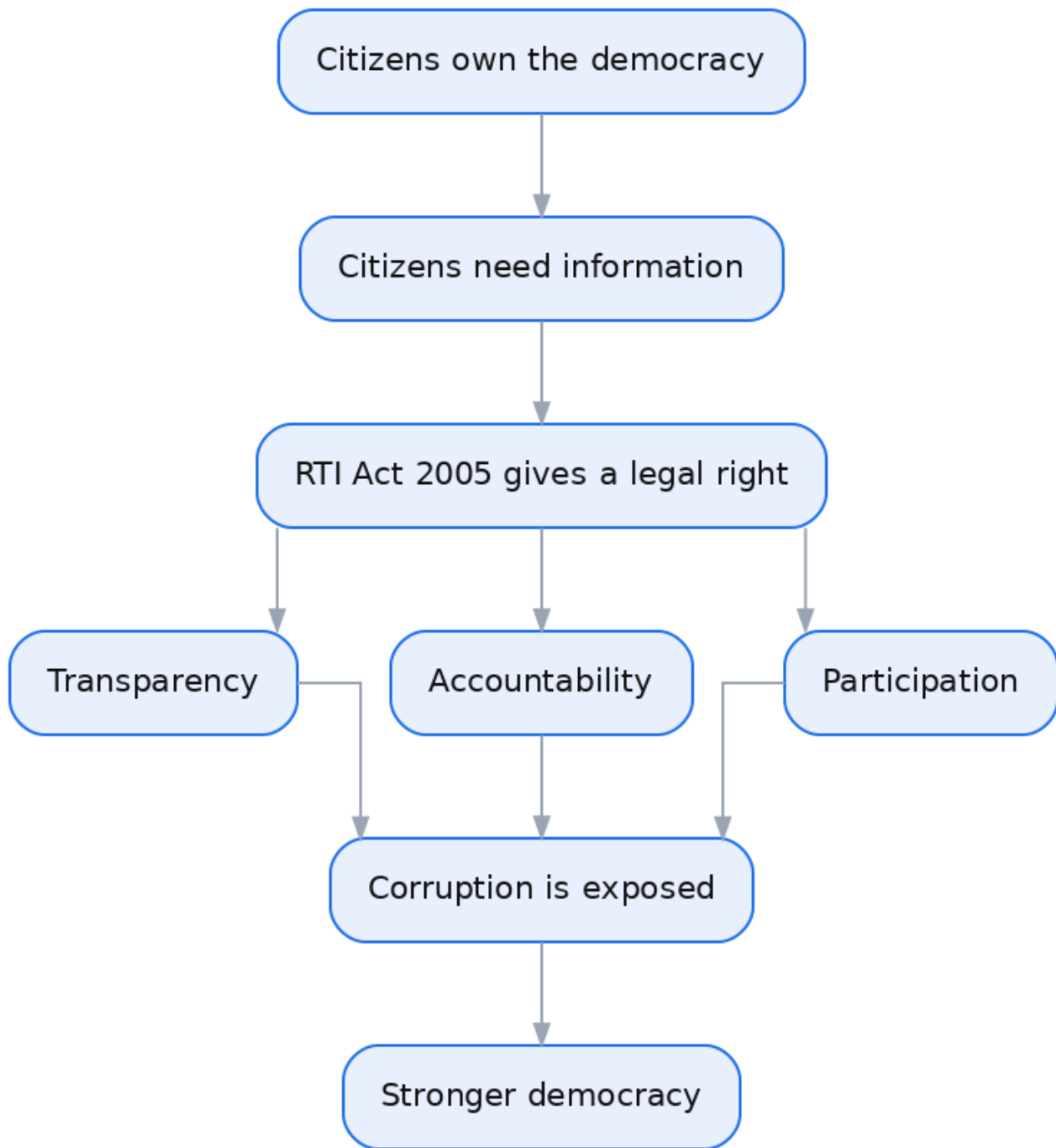
“Sunlight is said to be the best of disinfectants.” — Justice Louis Brandeis

“In a government of responsibility like ours, where all the agents of the public must be responsible for their conduct, there can be but few secrets. The people of this country have a right to know every public act, everything that is done in a public way, by their public functionaries.” — Justice K.K. Mathew, State of U.P. v. Raj Narain (1975)

In Simple Terms

A democracy run in secret is not really a democracy. If the public pays for the government, the public has the right to see what the government is doing with that money and power. RTI turns that idea into an enforceable legal right.

The Visual



Case Laws

- **State of U.P. v. Raj Narain (1975)** — first recognised the people’s right to know about government functioning under Article 19(1)(a).
- **S.P. Gupta v. Union of India (1981)** — “open government” is the rule; disclosure is the norm, secrecy the exception.
- **Secretary, Ministry of I&B v. Cricket Association of Bengal (1995)** — right to receive and impart information is part of free speech.

- **PUCL v. Union of India (2003)** — right to information is a facet of both Article 19(1) (a) and Article 21.

☰ **16-Mark Essay Blueprint Tracker**

STAGE 1 — Define: Democracy = rule by an informed people; RTI = legal right to access information held by public authorities. **STAGE 2 — Link:** Show the four pillars — accountability, transparency, participation, trust. **STAGE 3 — Quote:** Brandeis (“sunlight...”) + Mathew J. in Raj Narain. **STAGE 4 — Cases:** Raj Narain (1975) → S.P. Gupta (1981) → Cricket Assn. (1995) → PUCL (2003). **STAGE 5 — Verdict:** RTI is the oxygen of democracy; without it, elections are blind and corruption is safe. Conclude that the Act operationalises Article 19(1)(a).

⚠ **Fact-Pattern Risk Alert**

Issue: Citizen seeks records of **President-Supreme Court consultation under Art. 124(2)** on judge appointments (Jun2015 Q9b). **Rule:** Art. 19(1)(a) right to know + Section 8 balancing test; transparency is the rule. **Analysis:** The information concerns public functioning of constitutional offices; mere “confidentiality” is not enough to deny unless a specific s.8 exemption applies. **Conclusion:** Information is **generally disclosable**; denial must point to a precise s.8(1) clause, not vague secrecy.

Topic 2 — Historical Development of Freedom of Information

Previous Year Questions

- “Historical development of the RTI Act, 2005 in India.” [16M] — Jun2013, Dec2016, Jan2017, Dec2018, Dec2019, Dec2020
- “Trace the history of freedom of information and its development.” [16M] — Apr2021
- “Origin and development of the concept of ‘Right to know’ in India. Refer to cases.” [16M] — Dec2012
- “Give an account of right to information prior to the RTI Act, 2005.” [16M] — Jun2014
- “Write a note on Mazdoor Kissan Shakti Sangathan.” [SN] — Dec2012, Jun2013, Jun2015
- “Write a note on Jan Sunvai.” [SN] — Jun2014, Dec2014

The Hook

In the dusty villages of Rajasthan in the 1990s, poor labourers held up muster rolls and shouted “**Hamara paisa, hamara hisab**” [Our money, our account]. That grassroots demand — not a courtroom — is what truly built India’s RTI law.

Explanation

Freedom of information is an old global idea that India adopted late.

Around the world: - **Sweden (1766)** — the **Freedom of the Press Act**, driven by Anders Chydenius, was the **world’s first** law giving public access to official records. - **USA (1966)** — the **Freedom of Information Act (FOIA)** gave Americans a legal right to federal records. - **UK (2000)** — the **Freedom of Information Act** broke a long culture of official secrecy (the UK long relied on its Official Secrets Act). It came into full force in 2005.

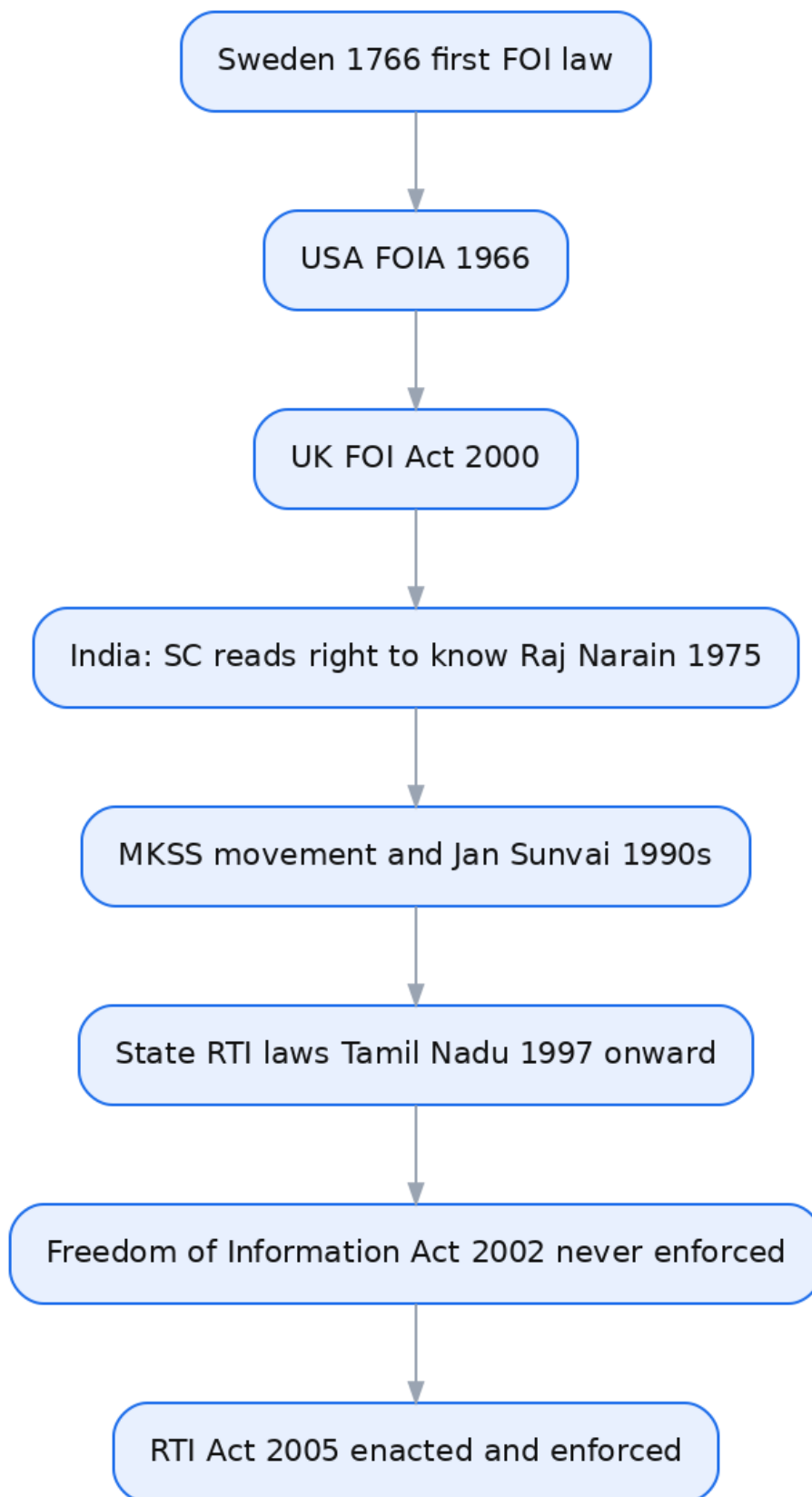
In India, before the 2005 Act: - There was **no general right** to government information; the **Official Secrets Act, 1923** dominated. - The **MKSS movement** (Mazdoor Kisan Shakti Sangathan — “Workers and Peasants Strength Organisation”), led by **Aruna Roy, Nikhil Dey and Shankar Singh**, used public hearings (**Jan Sunvai** [public hearing]) to expose fake muster rolls and corruption. - The Supreme Court read a right to know into Article 19(1)(a) (*Raj Narain*, 1975; *S.P. Gupta*, 1981). - **States led first:** Tamil Nadu (1997) passed the first state RTI law, followed by Rajasthan, Karnataka, Goa, Maharashtra, Delhi, Madhya Pradesh and Assam. - The Centre passed the **Freedom of**

Information Act, 2002, but it was **never brought into force**. - Finally, the **Right to Information Act, 2005** was enacted (received assent **15 June 2005**) and came into full operation on **12 October 2005**, repealing the 2002 Act.

In Simple Terms

The idea started in Sweden 250 years ago. In India, ordinary villagers fighting corruption — not lawyers — forced the government to act. States made their own laws first; a weak central law in 2002 failed; and the strong **RTI Act, 2005** finally delivered the right.

The Visual



Case Laws

- **State of U.P. v. Raj Narain (1975)** — judicial origin of the right to know in India.

- **S.P. Gupta v. Union of India (1981)** — strengthened open government as the constitutional default.

☰ 16-Mark Essay Blueprint Tracker

STAGE 1: Define FOI as legal access to government records. **STAGE 2 — Global timeline:** Sweden 1766 → USA 1966 → UK 2000. **STAGE 3 — Indian story:** Official Secrets era → Raj Narain/S.P. Gupta → **MKSS & Jan Sunvai** → state laws (TN 1997) → FOI Act 2002 (failed) → RTI Act 2005. **STAGE 4 — Dates to bold: 1766, 1966, 2000, 1975, 1997, 2002, 2005.** **STAGE 5 — Verdict:** RTI 2005 was the culmination of a people’s movement, not a gift from above.

⚠️ Fact-Pattern Risk Alert

Issue: A short note asks to distinguish **“Right” vs “Freedom”** in the title of the Act (Dec2012). **Rule:** A “right” is enforceable and claimable; a “freedom” is merely an absence of restraint. **Analysis:** Parliament chose “Right” to make access **enforceable** with a time-bound machinery (PIO, appeals, penalties), unlike the weak, unenforceable 2002 “Freedom” Act. **Conclusion:** The word “Right” signals a **legally enforceable entitlement**, which is why the 2005 Act succeeded where 2002 failed.

Topic 3 — Constitutional Basis for RTI

Previous Year Questions

- “Constitutional basis for RTI with decided Supreme Court cases.” [16M] — Jan2012, Dec2018
- “Right to information under the Indian Constitution.” [16M] — Dec2013, Dec2019, Nov2021
- “Provisions of the Constitution of India as to RTI.” [16M] — Dec2016, Jan2017
- “RTI under Article 19(1)(a) of the Constitution.” [SN] — Jun2015, Jun2019

The Hook

The RTI Act is only 2005. But the **right** itself is much older — the Supreme Court found it hidden inside **Article 19(1)(a)** of the Constitution decades before Parliament wrote the Act.

Explanation

RTI is not a stand-alone gift of the 2005 statute; it is a **fundamental right** flowing from the Constitution. Its sources:

- **Article 19(1)(a)** — freedom of speech and expression. The Supreme Court held that free speech **includes the right to know, receive and impart information**. You cannot speak meaningfully without information.
- **Article 21** — right to life and personal liberty. Information about matters affecting life (health, environment, safety) is part of a dignified life.
- **Preamble** — promises a sovereign, **democratic** republic, which presupposes an informed citizenry.

Article 19(1)(a): “All citizens shall have the right to freedom of speech and expression.”

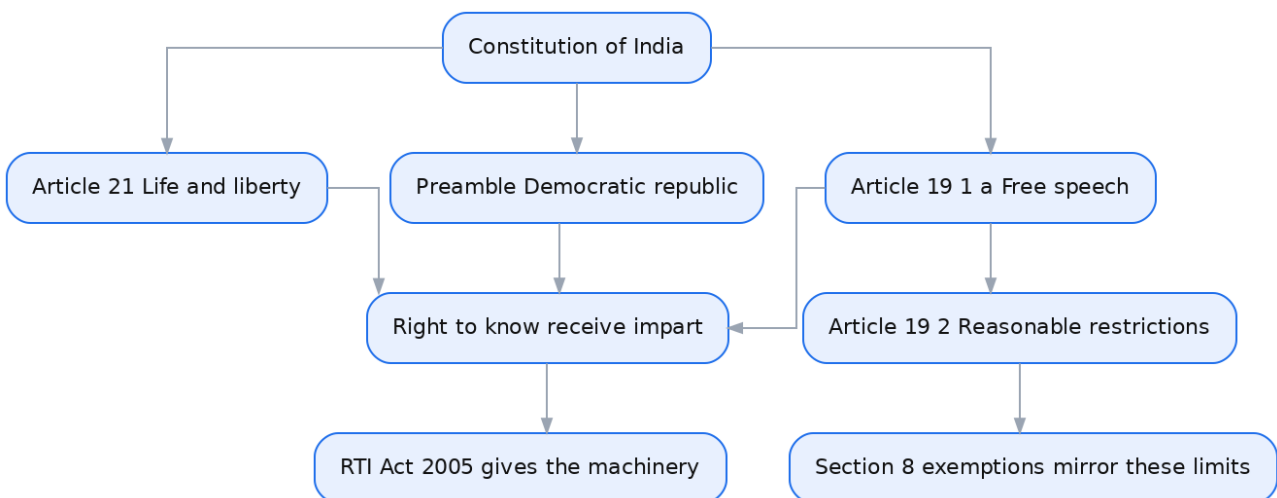
In Simple Terms (of the Article): Because you cannot truly speak or form opinions without facts, the freedom to speak automatically includes the freedom to **know**.

These rights are **not absolute**. Article 19(2) allows **reasonable restrictions** — sovereignty, security, public order, decency, contempt, defamation, etc. Section 8 of the RTI Act mirrors these limits.

In Simple Terms

RTI was a fundamental right *before* it was a statute. The 2005 Act simply gave a practical, step-by-step machinery to a right the Constitution already guaranteed under Article 19(1) (a), backed by Article 21.

The Visual



Case Laws

- **State of U.P. v. Raj Narain (1975)** — right to know rooted in Art. 19(1)(a).
- **Bennett Coleman & Co. v. Union of India (1973)** — freedom of press includes right to receive information.
- **Secretary, Ministry of I&B v. Cricket Association of Bengal (1995)** — right to receive/impart info via any media is protected; airwaves are public property.
- **PUCL v. Union of India (2003)** — RTI is part of Articles 19(1)(a) and 21.

☰ 16-Mark Essay Blueprint Tracker

STAGE 1: State that RTI is a fundamental right, not just a statutory one. **STAGE 2 — Sources:** Art. 19(1)(a), Art. 21, Preamble. **STAGE 3 — Quote** Art. 19(1)(a) and explain “speech needs information.” **STAGE 4 — Cases:** Raj Narain, Bennett Coleman, Cricket Assn., PUCL. **STAGE 5 — Limits & Verdict:** Note Art. 19(2)/Section 8 limits; conclude the Act gives shape to a pre-existing constitutional right.

⚠ Fact-Pattern Risk Alert

Issue: Citizen seeks **antecedents of contesting candidates** from the Election Commission (Jun2015 Q9c). **Rule:** Art. 19(1)(a) right to know + Union of India v. ADR (2002). **Analysis:** A voter’s right to know a candidate’s criminal, financial and educational background is essential to free and fair elections; this outweighs the candidate’s privacy claim. **Conclusion:** Information **must be disclosed** — the voter’s right to know prevails.

Topic 4 — Supreme Court on the Right to Information

Previous Year Questions

- “The right to know is the outcome of judicial activism. Explain.” [16M] — Jun2011
- “Explain the Supreme Court decisions on the RTI Act.” [16M] — Jun2012
- “Right to know, acquire and disseminate information — with SC cases.” [16M] — Dec2013
- “Supreme Court and RTI.” [SN] — Jun2019; “Judiciary and RTI.” [SN] — Dec2014, Jun2018, Dec2017

The Hook

Long before Parliament acted, the Supreme Court did. Case by case, from 1973 to 2004, the Court built the right to information brick by brick — a textbook example of **judicial activism** [judges expanding rights through interpretation].

Explanation

The Court developed RTI through a chain of landmark judgments:

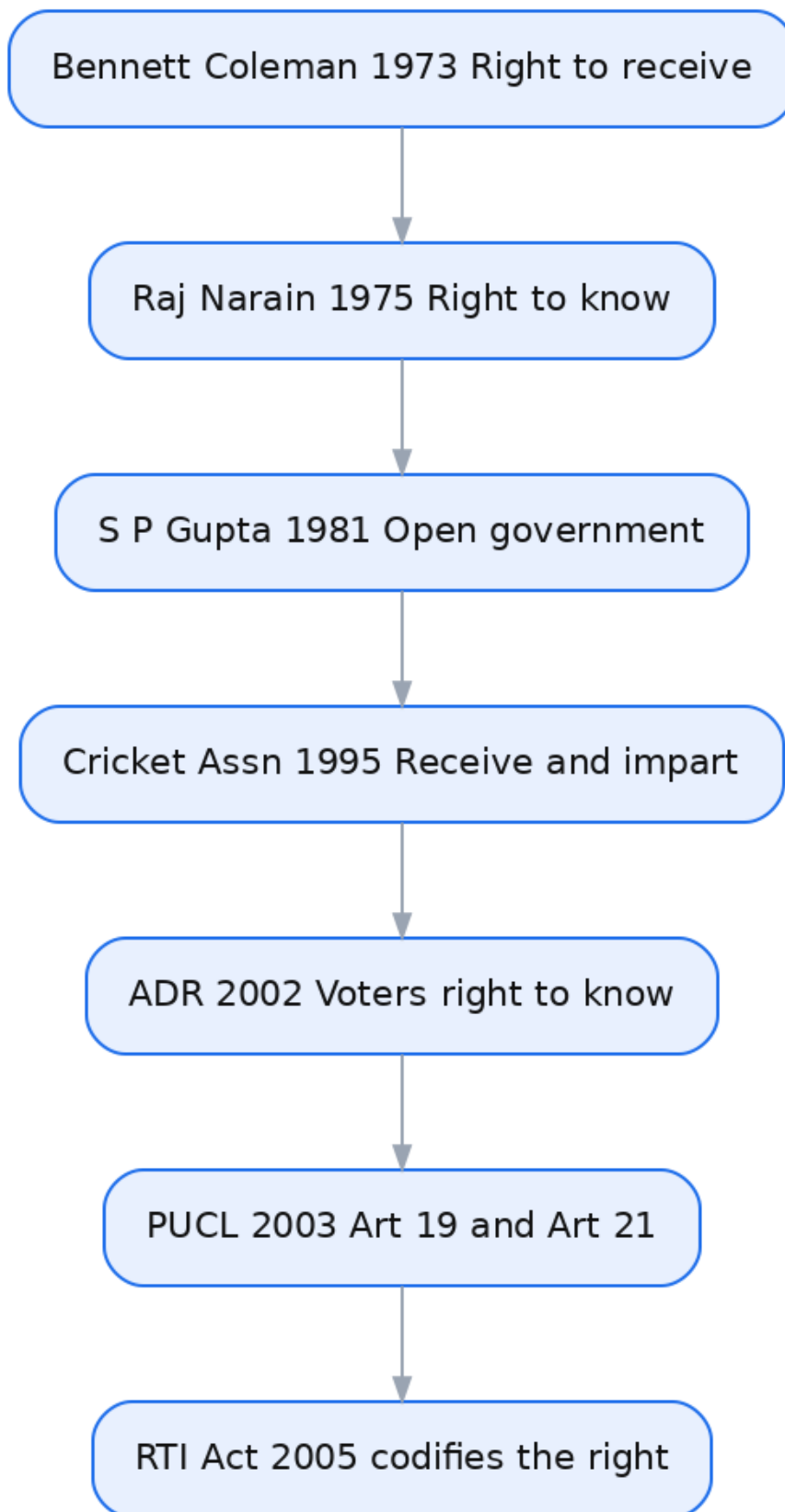
- **Bennett Coleman (1973)** — press freedom includes the right to **receive** information.
- **Raj Narain (1975)** — people have a right to know about government acts.
- **S.P. Gupta (1981)** — disclosure is the norm; **open government** is the rule.
- **Reliance Petrochemicals (1988)** — right to know flows from Art. 19(1)(a).
- **Cricket Association of Bengal (1995)** — right to receive and impart information through any medium.
- **Dinesh Trivedi v. Union of India (1997)** — citizens have a right to know, but subject to reasonable limits for governance.
- **Union of India v. ADR (2002)** — voters' right to know candidates' antecedents.
- **PUCL v. Union of India (2003)** — RTI flows from both Art. 19(1)(a) and Art. 21.

“The right to know... is derived from the concept of freedom of speech.” — **Reliance Petrochemicals v. Indian Express (1988)**

In Simple Terms

The judges, not Parliament, first created the right to information. Through a series of decisions they read it into free speech, made openness the default, and finally tied it to the right to life. The 2005 Act simply codified what the Court had already declared.

The Visual



Case Laws

(See chain above — learn name + year + one-line ratio for each.)

☰ 16-Mark Essay Blueprint Tracker

STAGE 1: Define judicial activism and state the Court's role in creating RTI. **STAGE 2 — Chain:** Bennett Coleman → Raj Narain → S.P. Gupta → Cricket Assn. → ADR → PUCL. **STAGE 3 — Ratio per case** (one line each, with year). **STAGE 4 — Quote** Reliance Petrochemicals. **STAGE 5 — Verdict:** The judiciary midwifed the right; the legislature delivered the statute.

⚠ Fact-Pattern Risk Alert

Issue: Applicant asks the **Chief Justice of India** for measures taken by the apex court to prevent delays in justice (Dec2016 Q9-3). **Rule:** Art. 19(1)(a) + RTI Act; the judiciary is a “public authority.” **Analysis:** Administrative information about court functioning is disclosable; only specific exempt material (e.g., judicial deliberations) can be withheld. **Conclusion:** General administrative information **must be supplied**; the CJI's office cannot refuse under a blanket secrecy claim.

Topic 5 — Objects of the RTI Act, 2005

Previous Year Questions

- “Reasons for / objects of the enactment of RTI Act 2005.” [16M]/[SN] — Jan2012, Jun2018
- “Discuss the objects and salient features of the RTI Act, 2005.” [16M] — Jun2018, Jun2019
- “International Conventions on RTI.” [SN] — Dec2013, Dec2016, Jun2017, Dec2019

The Hook

The very first line of the RTI Act calls it an Act “to provide for **a practical regime** of right to information for citizens.” The word “practical” is the whole point — earlier rights existed only on paper.

Explanation

The **objects** of the Act (drawn from its Preamble and Statement of Objects):

- Set up a **practical regime** of RTI for citizens.
- Secure **access to information** held by public authorities.

- Promote **transparency and accountability** in the working of every public authority.
- **Contain corruption.**
- Keep citizens informed so democracy works in reality.
- Harmonise these aims with conflicting interests — efficient governance, optimum use of limited resources, and preservation of confidentiality of sensitive information.

Preamble, RTI Act 2005: *“An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority...”*

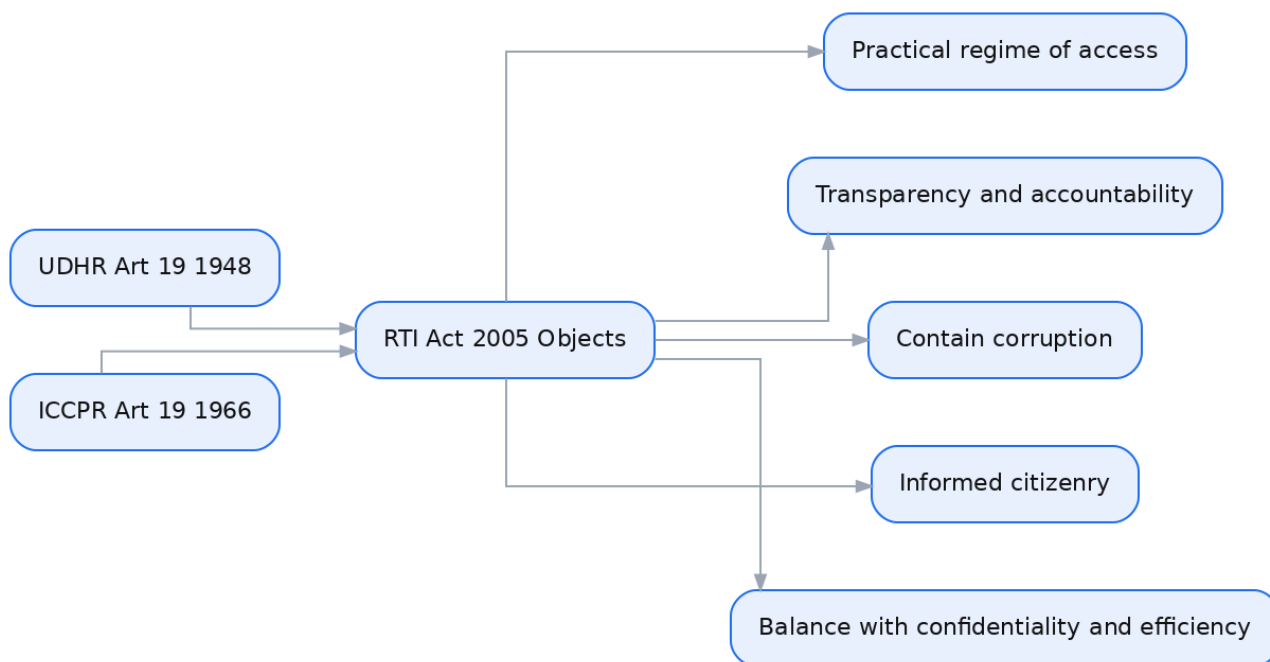
International Conventions on RTI (often a stand-alone question). Access to information is recognised across international and regional instruments. (1) **UDHR, 1948 — Article 19:** everyone has the right “to seek, receive and impart information and ideas through any media.” (2) **ICCPR, 1966 — Article 19(2):** restates this as a **binding treaty** obligation (India acceded **1979**), subject only to the narrow restrictions in Art. 19(3). (3) **Council of Europe Convention on Access to Official Documents, 2009 (Tromso Convention):** the first binding international treaty to recognise a general right of access to official documents. (4) **Aarhus Convention, 1998** (access to environmental information) and **Commonwealth Freedom of Information principles (1980/1999)** reinforce the trend. (5) Over **100 countries** now have FOI/RTI laws — from **Sweden (1766)** through the **US FOIA (1966)** and **UK FOI Act (2000)** — establishing RTI as an internationally accepted facet of free expression and democratic governance.

Whistle Blowers Protection Act, 2011 (short note). Enacted to **protect persons who expose corruption, misuse of power or criminal offences** by public servants — disclosures often built on information obtained through RTI. It allows any person to make a **public-interest disclosure** to a **Competent Authority** (e.g. the Central Vigilance Commission), requires the authority to **conceal the complainant’s identity**, and provides **safeguards against victimisation**. It is the natural companion to the RTI Act: RTI brings information to light, the Whistle Blowers Act protects the citizen who acts on it. (Its operation has been limited pending the 2015 Amendment Bill.)

In Simple Terms

The Act exists to make government open and answerable, to fight corruption, and to give citizens a real, usable tool — not just a promise. It balances openness against genuine secrecy needs.

The Visual



Case Laws

- **PUCL v. Union of India (2003)** — anchors the Act’s objects in fundamental rights.
- **CBSE v. Aditya Bandopadhyay (2011)** — RTI promotes transparency but must be balanced; not to be misused to paralyse administration.

☰ 16-Mark Essay Blueprint Tracker

STAGE 1: Open with the Preamble’s “practical regime” phrase. **STAGE 2 — Objects:** access, transparency, accountability, anti-corruption, informed citizenry, balance.

STAGE 3 — Quote the Preamble. **STAGE 4 — International:** UDHR Art. 19 (1948), ICCPR Art. 19 (1966). **STAGE 5 — Verdict:** The Act’s genius is balancing openness with legitimate confidentiality — transparency is the rule, secrecy the narrow exception.

⚠ Fact-Pattern Risk Alert

Issue: Information is sought that would **disproportionately divert public resources** to compile (a recurring examiner twist). **Rule:** Preamble’s balancing object + Section 7(9) (form of access not to disproportionately divert resources). **Analysis:** The object of “efficient governance” lets the authority provide information in a different form, but **not** refuse it outright. **Conclusion:** Access cannot be denied; only the **manner** of supply may be adjusted.

Quick Revision & Case-Law Table

Master Case List for Unit I

Case	Year	One-line ratio
Bennett Coleman v. Union of India	1973	Press freedom includes the right to receive information.
State of U.P. v. Raj Narain	1975	People have a right to know government acts (Art. 19(1)(a)).
S.P. Gupta v. Union of India	1981	Open government is the rule; secrecy the exception.
Reliance Petrochemicals v. Indian Express	1988	Right to know flows from free speech.
Secretary, I&B v. Cricket Assn. of Bengal	1995	Right to receive and impart info via any medium.
Dinesh Trivedi v. Union of India	1997	Right to know exists but allows reasonable limits.
Union of India v. ADR	2002	Voters' right to know candidates' antecedents.
PUCL v. Union of India	2003	RTI flows from Art. 19(1)(a) + Art. 21 .
CBSE v. Aditya Bandopadhyay	2011	Transparency balanced against misuse/ administration.

One-line memory hooks

Key dates to bold in answers: Sweden **1766** · USA FOIA **1966** · UK FOI **2000** · *Raj Narain* **1975** · TN first state law **1997** · FOI Act **2002** (failed) · RTI Act assent **15 June 2005**, in force **12 October 2005**.

Key constitutional anchors: Article **19(1)(a)** (right to know) · Article **21** (life) · Article **19(2)** (reasonable restrictions) · UDHR Art. 19 (1948) · ICCPR Art. 19 (1966).

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