

## Right to Information and Good Governance

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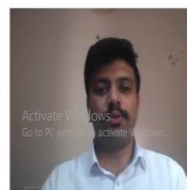
Lecture No. 17

### Legislating the Right to Information: Background and Challenges – VIII

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#### Challenges to Implementing the RTI Act 2005

- Impediments to disclosure of Information in India
- Section 123 of the Indian Evidence Act, 1872
- Official Secrets Act, 1923
- The Central Civil Services (Conduct) Rules 1964
- The All India Services (Conduct) Rules 1968
- National Information Policy 1985
- Atomic Energy Act, 1962



In 1985, there was a need for national information policy that was held across. As such the Department of Culture, Ministry of Human Resource development, Government of India appointed a committee in October 1985 under the leadership of a senior liable scientist along with Professor D. P. Chatopadhyay as its chairman to prepare a draft document in the national policy on library and information systems.

The objective of the national information policy was to create a set of decisions that the government has taken to appropriate laws and regulations in order to orient a harmonious level of information transfer activity so as to satisfy the information needs of a country. The committee appointed and completed its assignment and had submitted the first draft to the government on May 31st 1986. It is pertinent to observe that these very few of these certain steps that were taken across towards the dissemination of the information.

Yet other impediments that act across implementing the Right to Information Act were also certain enactments such as that of the Atomic Energy Act of 1962. Thus under section 18 of the Atomic

Energy Act the central government has the power to order the restriction of disclosure of any information which is regarding any document, drawing, photograph whichever form it pertains to a plan that deals with atomic energy or in manner or operation of extraction of atomic energy and otherwise related thereto.

Such provisions prevailing in the administrative practices as well as the legislative enactments created a hurdle for legislating the Right to Information Act. To what extent the right to information could be extended to was something that had to be constructively divided and created. Given the particular instances where there were impediments and challenges to the implementation the government of India nonetheless proceeded to implement the legislation on right to provision act.

We will now look across the legislative course of developments that allows for the strengthening of the right to information act.