

## **History of Developments on Right to Information in India**

- 1990 - Prime Minister V.P Singh heading the national front government stresses on the importance of Right to Information as a legislated right. Initial efforts to formulate a law in 1989-90.
- 1994 - Mazdoor Kisan Shakti Sangathan (MKSS) started a grassroots campaign for right to information – demanding information concerning development works in rural Rajasthan. This movement grew and the campaign resulted in the government of Rajasthan enacting a law on Right to Information in 2000.
- 1995 - Draft Act formulated in a meeting of social activists at the LBSNAA, Mussoorie, 1995.
- 1996 - NCPRI formed in 1996. Press Council of India under guidance of its Chairman Justice P.B Sawant drafted a law which was later updated and changed at a workshop and renamed “The Press Council –NIRD Freedom of Information Act, 1997.
- 1997 – The Working group appointed by the United Front Government under the Chairmanship of Mr H.D Shourie drafted a law called the Freedom of Information Bill, 1997.
- 1997- Tamilnadu became the first state in India to have passed a law on Right to Information.
- 1997 - The Madhya Pradesh Government issues executive orders to 36 departments to implement Right to Information which later increased to more than 50 departments.
- 1997- Goa legislature enacts a law on Right to Information.
- 1998 – The Prime Minister Shri Vajpayee announces that a Law on right to information shall be enacted soon.
- 1998 – The Government of Madhya Pradesh tables a Bill on Right to Information which is passed by the legislature. The Bill is not enacted into Law because the Governor denied assent.
- 1999 - Union Urban Affairs Minister passes an administrative order on transparency in the UA Ministry – 1999 - Govt. restrains Minister.
- PIL filed in 1999 asking SC to:

- Lift restraint on Minister.
  - Declare Section 5 of OS Act unconstitutional.
  - Ask GOI to issue suitable instructions for RTI, pending legislation.
- 2000 - Introduced in Parliament in 2000 as Freedom of Information Act, and referred to a Select Committee of Parliament.
  - 2001- NCT Delhi assembly passes a law on Right to Information.
  - 2002 - Report of Select Committee in early 2002.
  - FOI 2002 Bill passed in December 2002.
  - 2002- In Sept. Maharashtra Govt. passes RTI Ordinance which overwrites the Maharashtra RTI Act 2000.
  - 2003- Both Houses of the Parliament pass the FOI Act 2002 in Dec. 2002 and Act notified in Gazette in Jan 2003.
  - 2003- On Jan 31st MP Govt. passes MP RTI Act.
  - 2003- In Aug. Maharashtra converts its Ordinance into new RTI Act.
  - 2004 - UPA Government comes to power in 2004. Setting up of the National Advisory Council (NAC) to monitor the implementation of the CES and advise government on policy and law.
  - NCPRI formulates amendments to FOI 2002 and forwards to the NAC – August 2004.
  - NAC endorses with minor changes and recommends to the PM – August 2004.
  - Reported resistance from sections of the civil service and politicians.
  - Efforts to notify the earlier FOI Act.
  - Massive lobbying by citizens/groups.
  - Finally, an RTI bill introduced in Parliament in December 2004 – applicable only to the GOI.
  - Widespread protests from movements, NGOs and some members of the NAC.
  - NAC discusses the bill and reiterates its support for the original NAC draft applicable to the states also.
  - Bill referred to Parliamentary Comm. GOI.

- Again huge lobbying by citizens.
- About 150 amendments introduced by Govt. in May 2005 – passed.
- Bill now applicable to states also.
- Presidential Assent on 15 June.
- Reservations expressed by the President, CBI, CVC and the Delhi Police.

### The Progressive Indian States

- ◆ Tamilnadu (1997)
- ◆ Goa (1997)
- ◆ Rajasthan (2000)
- ◆ Karnataka (2000)-law come into effect in 2002
- ◆ New Delhi (2001)
- ◆ Maharashtra (2002)
- ◆ Madhya Pradesh (2003)
- ◆ Chattisgarh no law but executive orders in departments to make information available to people (Implementation of MP exec orders)
- ◆ Orissa (draft bill). Executive order with respect to Panchayat matters on FOI.