**E-CONTENT**

**MJMC,  SEM-IV, PAPER-XIV (CC-402)**

**Topic : The right to information**

**Date : 12-02-2020, TIME : 2.00 P.M.-3.00 P.M.**

**PREPARED BY : AMIT KUMAR**

**The right to information**

The fundamental right of freedom of speech and expression is meaningless without authentic requisite information about issues and subjects on which opinions are to be formed and expressed. The right to information is, therefore, implicit in the right to free speech and is as much fundamental. Parliament has now enabled the citizens to exercise their fundamental right of free speech and information (Press Information Bureau, 2003) As a result of the discussions in the Chief Ministers’ Conference on “Effective and Responsive Government” held in 1997 at New Delhi, appointed a commission under the chairmanship of Shri H.D. Shourie to examine the feasibility and need for either full-fledged Right to Information Act. The Committee submitted its Report in May 1997 along with a draft Freedom of Information Bill to the

Government.

In 1999, Ram Jethmalani, Minister for Urban Development, passed an administrative order that any citizen would be entitled to inspect and take photocopies of any file in his ministry. But, the Cabinet Secretary, on the instructions of the Prime Minister, restrained Jethmalani from giving effect to his order.

Three successive Union Governments examined a Draft Bill. The 38th Report of the Parliamentary Committee endorsed the Shourie Bill in 1998. The Press Council put pressure through its own Draft Bill from 1998 seeking to access a much wider information in public and private hands.The draft bill was introduced in the Indian legislature with changes in 1998.

However the bill was not to be easily passed, because to be completely open to public scrutiny is a nightmare to any government. A changed version was - The Freedom of Information Bill 2000 - emerged from these gestations. President of the country on May 15, 2000 recommended presenting the bill in the parliament. The bill sent to the Standing Committee on Home Affairs whose Report has emerged in July 2001.

Finally in November, 2002, when no legislation was forthcoming even many months after the report of the select committee had already been submitted, the Supreme Court directed that if the legislation was not passed before the next date of hearing (in January, 2003) the court would consider the matter on merits and pass orders. It was further directed that even if the legislation were passed, the court would examine whether it was in conformity with the right to information as declared by the court. Freedom of Information Act, 2002 was passed by the Parliament in December, 2002.