



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: B.A.,LL.B (HONS.) FYIC

DETAILS OF COURSE OFFERED

ODD SEMESTER (IX) – ACADEMIC YEAR:.....

SL. NO	COURSE CODE	COURSE TITLE	L	T/P	CR	CH
1	BL903.6 (CONSTITUTIONAL LAW, OPTIONAL PAPER- V)	RTI, CIVIL SOCIETY AND PUBLIC GRIEVANCE	4 PER WEEK	1 PER WEEK	4	

A. CODE AND TITLE OF THE COURSE: BL903.6 (CONSTITUTIONAL LAW OPTIONAL PAPER-V), RTI, CIVIL SOCIETY AND PUBLIC GRIEVANCE

B. COURSE CREDIT: 4 (TOTAL MARKS 200)

C. MEDIUM OF INSTRUCTION: ENGLISH

D. COURSE COMPILED BY: HIMANGSHU RANJAN NATH

E. COURSE INSTRUCTOR: HIMANGSHU RANJAN NATH

1. COURSE OBJECTIVES

To have a successful and prosperous democracy it is very important to have a transparent system of governance. The SDGs adopted by the United Nation also calls for a transparent administration to facilitate good governance. Although, legislation to bring transparency in the governance starts in the Seventeenth Century with the enactment of freedom of information law adopted in Sweden, it has taken several decades in India to transmit itself from an opaque system of governance, legitimized by the colonial Official Secrets Act, to one where citizens can demand the right to information. The enactment of the Right to Information Act 2005 marks a significant shift for Indian democracy, for the greater the access of citizens to information, the greater will be the responsiveness of government to community needs.

Right to Information is derived from our fundamental right of freedom of speech and expression under Article 19(1)(a) of the Constitution. If we do not have information on how our Government and Public Institutions function, we cannot express any informed opinion on it. Democracy revolves around the basic idea of Citizens being at the center of governance. And the freedom of the press is an essential element for a democracy to function. It is thus obvious that the main reason for a free press is to ensure that Citizens are informed. Thus it clearly flows from this, that the citizen's right to know is paramount. The Act and its rules define a format for requisitioning information, a time period within which information must be provided, a method of giving the information, some charges for applying and some exemptions of information which will not be given.

In recent years, there has been an almost unstoppable global trend towards recognition of the right to information by countries, intergovernmental organizations, civil society and the people. The right to information has been recognized as a fundamental human right, which upholds the inherent dignity of all human beings across the Globe. The solemn objective of this course is to educate and aware the students with this crucial underpinning of participatory democracy that ensures accountability and good governance.

2. TEACHING METHODOLOGY

This course is designed to bring the best of analytical aptitude in the students and to provide them best opportunity to make their ability to link theory with practical context.

The teaching methodology shall be participatory teaching with discussions on constitutional norms, principles, doctrines, precedents and statutory laws relating to the subject. The students will be informed in advance about the topic of discussion, project and assignment. They are suggested to prepare their assignments from the sources suggested and are encouraged to research independently from other authentic sources. The students are required to present their assigned topic in the class room and the teacher will summarize the same, welcome questions and present critical reflection if any. Further, for greater interest of the students, it has been proposed to take weekly class tests in the classroom after completion of a topic included in the course content.

3. COURSE LEARNING OUTCOMES

The greater the access of the citizen to information, the greater the responsiveness of government to community needs. Alternatively, the more restrictions that are placed on access, the greater will be the feelings of 'powerlessness' and 'alienation'. Without information, people cannot adequately exercise their rights as citizens or make informed choices. On completion of this course, students are expected to understand the basic concepts and underlying ideas of each module and thereby they shall be in a position to understand the importance of having a legislation pertaining rights to citizens a general right to information about the affairs of the government. Further, by learning this course, it is expected that the students would be immensely benefited in their individual life by well acquitting with the provisions of RTI Act and its application in day to day life. Likewise, students can also avail the benefit of the course in their professional and social life through fighting for other fellow individual's right to know about administrative affairs concerning the life, property and person both outside and inside of the courtroom.

Further, after completing the course the students are expected to understand the structure, composition, powers and functions of the authorities mentioned in the Act aimed at redressal of complications as to one's right to information. An informed citizenry is the backbone of a healthy democracy, the course also intends to empower the students so that they will be able to understand the principals of RTI, Build consensus for RTI education and aware people about the use and misuse of the Act.

4. COURSE EVALUATION METHOD

The Course shall be assessed for 200 marks. The Evaluation Scheme would be as follows:

Internal Assessment: 70% (140 marks)
Semester End Examination: 30% (60 marks)

Sl. No.	Marks Distribution	
1	Project Work	40 marks
2	Seminar/Group Discussion	20 marks
3	Assignment/Assessment	30 marks
4	Mid-Semester Test	40 marks
5	Attendance in class	10 marks
6	Semester End Examination	60 marks

5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)

MODULE I

Right to Information: Basic Framework

1. Indian Framework – Constitutional Philosophy and Mandates as to Right to Information, the Right to Information Movement, Fundamental Rights and Directive Principles of State Policy, Supreme Court/High Courts Judgements, Right to Information and States in India
2. International Framework – History of Right to Information, International Legal Framework on Right to Information and Transparency, Universal Declaration of Human Rights, International Convention on Civil and Political Rights

MODULE II

Right to Information Act, 2005

1. Legislative History of the RTI Act, 2005 – The Freedom of Information Act, 2002
2. Preamble and Definitions – Information, Right to Information, Competent Authority, Public Authority, Record
3. Obligations of Public Authorities to Render Information
4. Exempted Information – The Official Secrets Act, 1923

5. Public Information Officers – Appointment and their Duties
6. Submission and Disposal of RTI Applications
7. The Right to Information Rules, 2012

MODULE III

Information Commission & First and Second Appeals

1. Central Information Commission – Composition, Powers and Functions
2. State Information Commission – Composition, Powers and Functions
3. Provisions for Appeal under the RTI Act, 2005
4. Appeal under the Constitution of India

MODULE IV

Redressal of Citizens Grievances and Future Trajectory

1. The Concept of Ombudsman
2. The Lokpal and Lokayuktas Act, 2013
3. Whistle Blowers Protection Act, 2014
4. The Right of Citizens for Time Bound Delivery of Goods and Services and Redressal of their Grievances Bill, 2011
5. Right to Public Services legislation - The Assam Right to Public Service Act, 2012

6. PRESCRIBED READINGS

1. Barowalia, J. N., Commentary on The Right to Information Act, 4th Edition, Universal Law Publication, New Delhi, 2016
2. Blanke, Hermann-Josef, & Perlingeiro, Ricardo, The Right of Access to Public Information: An International Comparative legal Survey, 1st Edition, Springer, Berlin 2018
3. Das, P. K., Handbook on the Right to Information Act, Universal Law Publishing, New Delhi, 2013
4. Jain., M. P., Indian Constitutional Law, LexisNexis Buttersworth Wadhwa, Nagpur, 2012

5. Kumar, C. Raj, Corruption and Human Rights in India: Comparative Perspectives on Transparency and Good Governance, 1st Edition, Oxford University Press, New Delhi, 2011
6. Kumar, Niraj, Bharat Treatise on Right to Information Act, 2005, Bharat Law House Pvt. Ltd., Jaipur, 2019
7. Naib, Sudhir, The Right to Information in India, Oxford University Press, New Delhi, 2013
8. Roy, Aruna, The RTI Story: Power to the People, Roli Books, New Delhi, 2018
9. Sharma, Prashant, Democracy and Transparency in the Indian State: The Making of the Right to Information Act, Abingdon: Routledge, 2015
10. Singh, Vijay Pratap, Right to Information Law & Practice, 1st Edition, Gaurav Book Centre, New Delhi, 2014