

# OPEN DECISIONS

## THE RIGHT TO INFORMATION ACT 2005

### LANDMARK DECISIONS OF THE CENTRAL INFORMATION COMMISSION AND STATE INFORMATION COMMISSIONS AND JUDGMENTS OF THE COURTS

*Decisions that provide guidance on future similar cases and reduce the need of appeals*

## INTRODUCTION

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Central Information Commission (CIC) pronounced about 14182 Decision Notices so far (between 5 January 2006 and 31 December 2008); Break-up is like this:

1364 Decisions in 2006,

4893 Decisions in 2007,

7902 Decisions in 2008 and more than 23 Full Bench Decisions.

How do these Decisions influence our fundamental human right ... Right to Information? What is the essence of these Decisions? Everyone is concerned about the impact of these Decisions.

Though decision makers are required to decide on a case-by-case basis depending on the facts and circumstances of the particular case, Decisions pronounced by Information Commissions are valued because of the guidance they provide on future similar cases. Such guidance should cut down the number of cases that would otherwise be brought to the Information Commissions on appeal. Public authorities need not worry of making the same error of interpretation in response to other similar information requests.

However, the Decisions have no formal status as precedents.

This is an attempt to present the *ratio decidendi* (central core of meaning) or summaries of a few important Decisions issued by the Central Information Commission and State Information Commissions and judgments of the courts, in a classified manner, for easy understanding. A few decisions from other countries have been included. A right click enables you to 'search' this document topic wise.



The cases are broken down by Section or Exemption under the RTI Act to facilitate easy review. The cases come directly from the Information Commissions and Courts, which have Web sites.

The Centre for Good Governance (CGG) has produced this document as part of a series of awareness generation initiatives designed to help understand and apply the Right to Information Act 2005, under the Capacity Building for Access to Information Project. The aim of this document is to help the staff of public authorities and members of the public seeking information from public authorities.

RTI law is very dynamic in its development, interpretation and application because of the fairly recentness of the enactment and massive increase in Decisions pronounced by the Information Commissions over the past few months.

We will develop the document over time as Information Commissions determine applications under the RTI Act and the courts make decisions.

CGG provides these case summaries as a public service; due to their nature as summaries, they are not intended to be authoritative or complete statements of the facts or holdings of any of the cases summarized, and they should not be relied upon as such. The document is not a comprehensive statement of the law and does not constitute legal advice.

The text in this document may be used for academic purposes with due acknowledgments. If you wish to add more important decisions, you are welcome!