

Total number of printed pages-6

19 (Sem-8) RINF 8.6

2016

**RIGHT TO INFORMATION**

(Hons.)

Paper : 8.6 H<sub>6</sub>

Full Marks : 80

Time : Three hours

***The figures in the margin indicate full marks for the questions.***

1. Choose the correct option :  $1 \times 10 = 10$

(i) As pronounced by the Supreme Court of India recently, the Public Interest Litigations, now, can/cannot be based solely on information received under the Right to Information Act, 2005.

(ii) The Right to Information is a legislative right/both a legislative as well as a constitutional right.

Contd.

- (iii) The Right to Information of an arrested person to know the grounds of his arrest is/is not a constitutional mandate.
- (iv) Within the meaning of the Right to Information Act, 2005, the statutory right to information shall be available to all citizens/all persons.
- (v) E-mails fall/donot fall within the definition of the term "information" under the Right to Information Act, 2005.
- (vi) The Chief Information Commissioner of the Central Information Commission shall be appointed by the Prime Minister/President of India.
- (vii) The fundamental right to information is implicit/explicit in Article 19(1)(a) of the Constitution of India.

- (viii) Under the Right to Information Act, 2005, if any "information" sought by an applicant relate to a matter of "life or liberty" of a person, it can be obtained within 48/38 hours from the time of his request.
- (ix) The term "record" as defined under the Right to Information Act, 2005 includes /does not include any document, manuscript or file.
- (x) The Right to Information Act, 2005 extends to the whole of India including/ excluding the State of Jammu and Kashmir.

2. Write short notes on : 2×5=10

- (i) U.S. Presidential Message for Consumers' Rights
- (ii) Classification of Information

(iii) Third party information

(iv) Noise pollution and tort law remedy

(v) Right to information of an arrested person.

3. Write a jurisprudential account on the mandates of Article 19(1)(a) of the Constitution of India. Is the "right to freedom of press" implicit or explicit thereunder? Discuss with the help of decided cases.

4+2+6=12

**Or**

Discuss the legal and constitutional perspectives of the "right to information" in India.

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4. What are the grounds and the procedure, thereof, for removal of the Central Chief Information Commissioner under the Right to Information Act, 2005? Examine the relevant provisions.

8+4=12

**Or**

Define the term "noise pollution". Does it amount to "public nuisance" in the eye of law? Is there any provision, in this regard, in the Civil Procedure Code, 1908 to protect the common public from the hazards of noise pollution? Discuss the recent Supreme Court guidelines.

2+2+2+6=12

5. Write short notes on : 6+6=12

(i) Voter's Right to know

(ii) Importance of the "Citizen's right to information" in a representative democracy.

**Or**

Establish a jurisprudential nexus between the "Right to Information" and the "Public Interest Litigation".

Can a Public Interest Litigation be based solely on RTI documents?

Discuss the current procedure in this regard, as pronounced by the Supreme Court of India recently.

4+2+6=12

6. Discuss, briefly, the salient features of the Right to Information Act, 2005. 12

**Or**

How does the concept of "Open government" contribute towards the true functioning of democracy ? Discuss in the context of "representative democracy" as prevailing in India. 6+6=12

7. Discuss the constitution, power and functions of the State Information Commission established under the Right to Information Act, 2005. 12

**Or**

Discuss principles of law laid down by the Apex Court in the case of P.V. Narashimha Rao -Vs- State, AIR 1998 SC 2120. 12