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	<p style="text-align: center;"><b><u>LESSON PLAN : SA 12</u></b>  <b><u>RIGHT TO INFORMATION (RTI)</u></b>  <b><u>AND RIGHT TO EDUCATION (RTE)</u></b></p> <p>Period - One</p> <p>Type - Lecture</p> <p>Code - SA 12</p> <p>Term - III (SD/SW)</p> <p><b><u>Training Aids</u></b></p> <p>1. Computer, Projector, Charts, Pointer, Black Board &amp; Chalk.</p> <p><b><u>Time Plan</u></b></p> <p>2. (a) Introduction - 05 Min</p> <p>(b) RTI - 15 Min</p> <p>© RTE - 15 Min</p> <p>(d) Conclusion - 05 Min</p> <p><b><u>INTRODUCTION</u></b></p> <p>(r) Government of India is continuously working towards empowering its citizens through various legislations, acts, rules, programmes and projects. Some of the most prominent ones introduced in the recent past are the famous and powerful Right to Information (RTI) and Right To Education (RTE) acts. As we are aware, it is very essential for a person to have knowledge about the subject of interest, especially related to the Government, RTI is towards this end. Similarly, literacy or lack of it is a key factor for development of any nation. Enhancement of literacy, hence, is one of the primary duties of the Governments at Centre as well as States. RTE is towards this goal so that no one is denied an opportunity to get basic education.</p> <p><b><u>AIM</u></b></p> <p>(s) To acquaint the cadets about Right to Information (RTI) &amp; Right to Education (RTE).</p> <p><b><u>PREVIEW</u></b></p>

	<p>5. The lecture will be conducted in two parts as under:-</p> <p>(a) Part I - RTI.</p> <p>(b) Part II - RTE.</p> <p>(a) <b><u>PART I : RIGHT TO INFORMATION (RTI) ACT 2005</u></b></p> <p>6. The Indian Parliament had enacted the “Freedom of Information Act, 2002” in order to promote, transparency and accountability in administration. The National Common Minimum Program of the Government envisaged that “Freedom of Information Act” will be made more “progressive, participatory and meaningful”, following which, decision was made to repeal the “Freedom of Information Act, 2002” and enact a new legislation in its place. Accordingly, “Right to Information Bill, 2004” (RTI) was passed by both the Houses of Parliament on May, 2005 which received the assent of the President on 15th June, 2005. “The Right to Information Act” was notified in the Gazette of India on 21st June, 2005. The “The Right to Information Act” became fully operational from 12th October, 2005. This new law empowers Indian citizens to seek any accessible information from a Public Authority and makes the Government and its functionaries more accountable and responsible.</p> <p>7. Important Provisions of the Act.</p> <p>(a) RTI mandates timely response to citizen requests for government information. It is an Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities.</p> <p>(b) In order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions are enshrined in the act.</p> <p>© The Act covers the whole of India except Jammu and Kashmir, where J&amp;K Right to Information Act is in force. It is applicable to all constitutional authorities, including the executive, legislature and judiciary; any institution or body established or constituted by an act of Parliament or a state legislature.</p> <p>(d) It is also defined in the Act that bodies or authorities established or constituted by order or notification of appropriate government including bodies “owned, controlled or substantially financed” by government, or non-Government organizations “substantially financed, directly or indirectly by funds” provided by the government are also covered in it. Private bodies are not within the Act’s ambit directly.</p> <p>(e) The Act empowers applicant citizens to:-</p>
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- (i) Obtain copies of permissible governmental documents.
  - (ii) Inspect permissible governmental documents.
  - (iii) Inspect permissible Governmental works and obtain samples.
10. Exemptions. The following information is exempt from disclosure:-
- (a) Information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, “strategic, scientific or economic” interests of the State, relation with a Foreign State or lead to incitement of an offense.
  - (b) Information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court.
  - © Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature.
  - (d) Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.
  - (e) Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information.
  - (f) Information received in confidence from foreign Government.
  - (g) Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes.
  - (h) Information which would impede the process of investigation or apprehension or prosecution of offenders.
  - (i) Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers.
  - (j) Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual (but it is also provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied by this exemption).

(k) Notwithstanding any of the exemptions listed above, a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests. (NB: This provision is qualified by the proviso to sub-section 11(1) of the Act which exempts disclosure of “trade or commercial secrets protected by law” under this clause when read along with 8(1)(d)).

(b)

## **PART II : RIGHT TO INFORMATION (RTI) ACT 20100**

### **11. General.**

(a) Sixty-three years after independence, India Thursday, the 1st April 2010 enforced a historic Right to Education (RTE) act that promises freedom from illiteracy for this vast and diverse country. With this act, India became one of 135 countries to make education a fundamental right of every child.

(b) The Act makes education “a fundamental right” of every child between the ages of 6 and 14 and specifies minimum norms in elementary schools. It requires all private schools to reserve 25% of seats to children from poor families (to be reimbursed by the state as part of the public-private partnership plan).

© It also prohibits all unrecognized schools from practice, and makes provisions for no donation or capitation fees and no interview of the child or parent for admission.

(d) The RTE act requires surveys that will monitor all neighbourhoods, identify children requiring education, and set up facilities for providing it. The RTE Act is the first legislation in the world that puts the responsibility of ensuring enrolment, attendance and completion of education on the Government.

12. Main Highlights of RTE Act. Following are the key points of the legislation:-

(a) Free and compulsory education to all children of India in the six to 14 age group.

(b) No child shall be held back, expelled, or required to pass a board examination until completion of elementary education (up to class eight).

© A child who completes elementary education (upto Class 8) shall be awarded a certificate.

(d) Calls for a fixed student-teacher ratio.

(e) Will apply to all of India except Jammu and Kashmir.

(e) Provides for 25 per cent reservation for economically disadvantaged communities in all private and minority schools.

(f) Mandates improvement in quality of education.

(g) School teachers will need adequate professional degree within five years or else will lose job.

(h) School infrastructure (where there is problem) to be improved in three years, else recognition will be cancelled.

(j) Financial burden will be shared between state and central government on the basis of Sarva Shiksha Abhiyan (Education for All).

(t) Private schools to face penalty for violating RTE.

**CONCLUSION**

(u) The powerful Acts of Government of India, RTI Act 2005 and RTE Act 2010 have been implemented with a sole aim of empowering the citizens of India. If implemented in a proper way, these acts will have the desired effects of bringing transparency & accountability in the public offices as well as literacy enhancement, particularly in rural India.