WHETHER THE RIGHT TO KNOW COME UNDER THE SCOPE OF ARTICLE 19(1)(A) OF THE CONSTITUTION OF INDIA?

by

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ABSTRACT

In our constitution, the provisions related to fundamental right are in Part III, from Article 12 to 35, and they are considered as basic human right of citizens of India. There is no single provision for **Right to Know** anywhere in our Constitution, but still this concept exists in the Indian legal system because it's drive the constitutional validity from Freedom of Speech and Expression under Article 19 Clause (1) Sub Clause (A) and the Supreme Court has made an attempt to fit the Right to Know under Article 19 Clause (1) Sub Clause (A) through its different judgments. Right now, the ambit of the right to know has been much wider as it was interpreted first. It has taken place various aspects specially in the context of environment and ecological balance. This study examines whether the right to know covers within the scope of Article 19(1)(a) of the Constitution of India, which guaranteed the fundamental rights of the citizen's freedom of speech and expression. The primary objective of this research is to analyses the constitutional ambit of the "right to know" and examine its judicial recognition by the Supreme Court of India. The study further explores the scope and limitations of this right, particularly with regard to access to information, transparency in governance, privacy, and public interest.

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Keywords: Right to know, Freedom of Speech and Expression, Judicial Interpretations, Transparency in Governance, Government's Accountability.

INTRODUCTION

The 'right to know' is not explicitly mentioned in our Constitution; however, the Supreme Court, through various judgments, has attempted to incorporate it under Article 19(1).

Historical Perspective

In pre-independence era, the British government enacted the **Official Secrets Act of 1923.** And under this Act, works or Activity of the government were kept confidential, and also the public was prohibited from seeking any government information it means citizens have **no right to know**. This system continued for several decades after independence.

Following the Official Secrets Act, the Indian judiciary sought to steer the 'right to know' in a new direction. In the landmark case of **Raj Narain v. State of Uttar Pradesh (1975)**[1], the Supreme Court of India, for the first time, addressed this issue and recognised that **'right to know' is an integral part of Article 19**(1)(a) of the Constitution of India.

In 1981, the Supreme Court once again interpreted the 'right to know' as being encompassed within Article 19(1)(a) in the case of **S.P. Gupta V. Union of India**[2]. Rejecting the government's plea based on Section 123 of the Evidence Act, and Hon'ble Justice Bhagwati stated that India upholds democratic principles; therefore, the participation of citizens in a democracy is of great significance. Furthermore, the 'right to know' would play a crucial role in promoting accountability and an open government.

In 1990, under the leadership of Nikhil Dey, Shankar Singh, and Aruna Roy, the **Mazdoor Kisan Shakti Sangathan (MKSS)**[3] launched a movement in the rural areas of Rajasthan. They adopted the slogans, "Our money, our accounts" (Hamara paisa, hamara hisab) and "We shall know, and we shall live" (Hum janenge, hum jiyenge). The primary objective of the organization was to ensure that labourers received their minimum wages and to secure their right to access government records. In this way, the MKSS promoted the "right to know."

And in this way, the concept of the 'Right to Know' gradually gained wider reach. The movement first made an impact in Tamil Nadu in 1997, following which the Tamil Nadu government enacted a law regarding the 'Right to Know' at the state level. Following this, Goa, Rajasthan, Delhi, and other states also developed the 'Right to Know.

[1] 1975 AIR 865
[2] AIR 1982 SC 149
[3] In the year of 1990

When the central government observed that various states had enacted different laws regarding the 'right to know,' it passed the 'Freedom of Information Act, 2002 as Central Act. However, this Act contained numerous shortcomings, which prevented its effective implementation on the ground. Consequently, in 2004, the Central government initiated the process for a new 'Right to Information Act,' seeking input from the National Advisory Council **(NAC**) to incorporate significant improvements into the existing draft. The new 'Right to Information Act' was subsequently passed by both houses of Parliament [the Lok Sabha and the Rajya Sabha]in May 2005. It received the President's assent (under article 111) on June 15, 2005, and came into effect nationwide on October 12, 2005. This is how the 'Right to Information Act' came into existence

Meaning of Right to Know

In simple terms, the **'right to know'** means that every individual has the right to seek and receive information especially information related to the functioning of the government or the affairs of the state. *The Constitution of India PROVIDES PROVISION IN THIS REGARD. Whereas article 19 clause 1 sub clause A, Freedom of Speech and Expression is granted to only citizens and also right to know drive the constitutional validity from here*

As we know, our country upholds democratic principles. These principles dictate that every citizen has the right to be informed about how the government functions, how it utilizes public funds, and what decisions it takes in the national interest.And in this way, by exercising their 'right to know', citizens can make the government accountable and transparent.

Definition

According to American legal scholar **Thomas Emerson** -The right to know includes three important dimensions, the right to hear, the right to read, and the right to know. It is not limited to the mere provision of information by the government, but involves the active process of citizens seeking information so that they can effectively play their role in a democratic society.

- **United Nations General Assembly**[4] ,Resolution 59(1), defines as - The right to information is a fundamental human right and is the bedrock of all freedoms to which the United Nations is dedicated. According to the resolution, it gives citizens the freedom to seek, receive, and disseminate ideas and information without limitation.

[4] 1946

- According to **Justice K. K. Mathew** (Supreme Court of India) In the landmark case of State of UP v. Raj Narain (1975)[5], defined - In a responsible government, where all officers are accountable to the public for their conduct, there can hardly be any secrets. The people of this country have a right to know every public act performed by their public servants.
- According to Hon'ble Justice P.N. Bhagwati (former Chief Justice of India), In the case of **S.P. Gupta v. Union of India**[6], Justice Bhagwati said- The idea of open government flows directly from the right to know, which is inherent in freedom of expression." He considered it an essential means of democratic living and empowering people to speak and create.
- In the views of the Environment and the Workplace -According to environmentalist Rachel Carson, the right to know is a legal principle that ensures that a citizen or employee has the right to be informed about all hazardous chemicals, substances, or government or private policies that may affect their daily lives, health, or the environment.

(A) Importance of right to know

- It ensures transparency: As we discussed above, our country upholds the principles of democracy, and within this framework, the RTI (Right to Information) acts as a tool through which citizens can access any information. Also, Section 3 states that all citizens shall have the right to information
- It fixes the accountability of government: - because it gives power to citizens, through which they can question any action taken by the government.The government is also obligated to provide an answer to that question
- It prohibited the corruption: - The RTI plays a crucial role in ensuring open government, and when a government is open, then the chances of corruption are significantly reduced.
- The Right to know is also important for article 21: - RTI enables the citizens of India to live with dignity through informed decision-making, participate in decision making and access justice.
- Its objective is to strengthen the roots of democracy in a country.

[5] 1975 AIR 865
[6] AIR 1982 SC 149

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- Also, in the case of Menaka Gandhi vs. Union of India[7], the Supreme Court said that Article 21 consists of a wider range of rights, including access to true public information among them

RESEARCH OBJECTIVES

1. To examine the relation between Article 19(1)(a) with RTI Act
2. To examine the role of Right to Information Act 2005
3. Analyzing the constitutional development of Right to Know through landmark judgments of Courts
4. To examine the relationship between the 'right to know' and the 'right to privacy,' and to explore how to strike a balance between them.
5. To examine how right to know is subject of article 19(2) and what are the limitations of RTI

RESEARCH QUESTIONS

1. Whether right to know come under the ambits of article 19 (1)(A) of constitution of India or not?
2. How right to know protected under article 19(1)(a)
3. How right to know developed?
4. Is the right to know an absolute right?
5. Whether the right to know is subject to reasonable restrictions under the Article 19(2) or not?

RESEARCH HYPOTHESI

The '**right to know**' derives its constitutional validity from the 'freedom of speech and expression' guaranteed under Article 19, Clause 1, Sub-clause (a) of the Constitution. It serves as a mechanism to ensure transparency and accountability, enabling citizens to question the government. However, this right is not absolute; reasonable restrictions may be imposed upon the 'right to know,' as provided for under Article 19(2) of the Indian Constitution.

RESEARCH METHODOLOGY

The research I am conducting follows a 'doctrinal legal research' pattern, and the primary documents I have referred to include Primary source- The Constitution of India, the Right to

[7] AIR 1978 SC 597

Information Act, 2005, and relevant judgments of the Court of law. And the secondary sources: textbooks on constitutional law, research papers, articles in law journals, and legal commentaries.

CONCEPT OF RIGHT TO KNOW IN THE CONTEXT OF DIFFERENT COUNTRY

(A) U.S. CONCEPTS

If we talk about the United States of America, then despite having a written constitution, freedom of speech and expression was not mentioned in the American Constitution but in 1771, the first amendment to the American Constitution was made, which explicitly stated that Congress shall pass no law abridging the freedom of speech or expression. Under the First Amendment, the U.S. Supreme Court has recognized freedom of speech and expression, freedom of the press, and the interest in receiving information as protected rights. However, the U.S. Supreme Court has not agreed that the First Amendment grants citizens the right to access every piece of information or document held under government control.Therefore, we have no hesitation in saying that the concept of 'right to know' differs between America and India.

And finally in the case of **Houchins v. KQED**[8]-Through its judgment in this case, the Supreme Court upheld a principle, stating that documents under the government's control are not generally accessible to the public, furthermore, the media cannot be granted access to such information simply on the basis of being journalists.

Again, in case of **Virginia state board of pharmacy vs. Virginia Citizens Consumer Council**[9]**-**In this case, the Supreme Court protected not only the rights of the Speaker but also the rights of the individual receiving the communication, stating that this is protected under the First Constitutional Amendment. However, this does not mean that such an individual can access government records**.**

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Also, in case of **Richmond Newspaper vs. Virginia**[10]In this case, the Supreme Court protected not only the rights of the Speaker but also the rights of the individual receiving the communication, stating that this is protected under the First Constitutional Amendment. However, this does not mean that such an individual can access government records.

The United States enacted the **Freedom of Information Act in 1966**. Under this Act, any individual could access the records of federal executive agencies. The primary objective of the

[8] 438 U.S. 1 (1978)
[9] 425 U.S. 748 (1976)
[10] 448 U.S.A. 555(1980)

Act was to ensure transparency within the government and establish government accountability. But it generally did not apply to Congress, federal courts, or state and local governments.

(B) U.K. CONCEPTS

- As we know, the United Kingdom does not have a written constitution; however, freedom of expression is provided for under Article 10(1) of the European Convention on Human Rights,under this provision, an individual can receive or learn about any information-however, this does not mean that one can get or know the general access to any documents under the control of the government. But Article 10(2) imposes reasonable restrictions on the basis of 3 grounds.
  I.If the restriction is prescribed by law
  II.if the state is pursuing legitimate
  III.if it is necessary for the democratic society.
- The **principle of 'open justice'** is a cornerstone of the UK legal system. Under this principle, court proceedings are open to the public, and anyone can access information related to these proceedings. The primary objective of this principle is to ensure judicial accountability and promote transparency within the judiciary; however, its scope is limited strictly to the judiciary.
- Also, the UK has **Environmental Information Regulations 2004**. Under these regulations, everyone has the right to access information related to land development, pollution, environmental policy, and environmental impact, unless there is a legally valid reason to withhold such information.

(C) INDIAN CONCEPS

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Article 19- Protection of certain rights regarding freedom of speech.

Article 19(1)(a)-All citizens shall have the right--to freedom of speech and expression.

Speech and expression are both are mediums of communication, speech is the means by which sound and words are used for communication, and expression is the means by which action or conduct is used for communication.Speech and expression are a right which is given only to the citizens of India through which the citizens of India can communicate their thoughts, their opinions and their feelings with others without any restrictions.

Not any jurist nor Indian Constitution, define the speech and expression rather than it consider as a fundamental right.When the Constitution of India was being drafted, our founding fathers included 'speech and expression' in Article 13 of the draft.

However, this does not mean that freedom of speech and expression is limited to writing and speaking; rather, the scope of freedom of speech and expression also encompasses receiving information, expressing one's opinions, and obtaining information of any kind and right to know.

The question then arises: on what basis can we believe that the 'right to know' derives its constitutional validity from Article 19(1)(a) of the Indian Constitution, despite the 'right to know' not being explicitly mentioned anywhere in Article 19?

The 'right to know' derives its validity from Article 19(1) of the Constitution, and the Supreme Court has affirmed this in various judgment as following.

JUDICIAL INTERPRETATION

Case- Raj Narain v. State of Uttar Pradesh (1975)[11]

The facts of this case are as follows- in this case, Raj Narain challenged Indira Gandhi's election, and argued that she had utilized the power and position as well as services of Prime Minister during the Lok Sabha election in Bareilly. And subsequently, Raj Narain demanded that certain government documents, such as the 'Blue Book', be presented in court.

At that time the Government by took the plea of section 123 of Indian evidence Act (now section 129 of BSA) argued that this section says that no person can give evidence in the court on the basis of any unpublished official records relating to the affairs of the state unless the Head of the Department concerned gives permission for the same and refused to disclosure of blue book.

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The Supreme Court rejected the government's argument, stating that this government privilege is not absolute in nature; the primary objective of Section 123 of the Indian Evidence Act is to protect documents whose disclosure would harm the public interest in real since.The court also emphasized that in a democratic country, the 'right to know' about the functioning of the government is a right belonging to every citizen.And in this way, the Supreme Court finally stated that the right to know derives its constitutional validity from Article 19(1)(a) of our Constitution.

[11] 1975 AIR 865

Case - S.P. Gupta V. Union of India[12]

This case deals with two distinct aspects: the first concerns the judicial appointment and transfer of judges, while the second aspect involves the 'right to know,' which was also recognized in this case.However, we will focus here only on the 'right to know. The facts of this case are as follows: several petitions were filed before the Supreme Court, challenging the appointment and transfer of High Court judges. Furthermore— and most significantly—the petitioners sought access to the correspondence exchanged between the Chief Justice of Delhi high court, the President of India, and the Government of India.

Then the central government flatly refused to present these documents before the court by taking the plea of Article 74 and Section 123 [13].And argued that any advice given to the President is protected under Article 74, Clause 2, and its confidentiality must be maintained and also this correspondence is an unpublished official document related to the state's affairs, so its confidentiality must be maintained.

Finally, the Supreme Court recognized the 'right to know,' stating that since our nation upholds democratic principles, its citizens possess not only the right to elect their representatives but also the right to know whether the government and those representatives are acting in their best interests.

Case - Association for Democratic Reforms vs. Union of India 2002[14]

The Law Commission of India has suggested that, the law-breakers are increasingly becoming law-makers, so the Election Commission should make it mandatory for any individual contesting an election to disclose their background, qualifications, and criminal record. This would help the public decide whom to vote for and whom not to vote for. Subsequently, ADR, NGO filed a petition before the Delhi High Court, requesting that a direction be issued to the Election Commission to make the recommendations of the Law Commission of India's report mandatory. The Delhi High Court then issued a directive to the Election Commission, following a request from an NGO, and the Election Commission subsequently made this report mandatory. However, implementing this court directive on the ground proved to be far from easy. The political leaders collectively devised a solution: they enacted a rule stipulating that only those who win an election

[12] AIR 1982 SC 149
[13] Indian evidence Act
[14] (2002) 5 SCC 294

are required to disclose their background and criminal records—while those who lose the election are exempt from disclosing such information, including their criminal history and educational qualifications.

And this rule, created by the leaders, was challenged in the case of **PUCL v. Unionof India.**[15] The petitioner argued that this constitutes a violation of the right to know, and consequently, a violation of the freedom of speech and expression.The Supreme Court has held that the act of casting a vote is a form of expression. In order to effectively exercise the freedom of speech and expression, citizens have a right to know about the background, qualifications, and criminal history of candidates. Thus, to ensure the meaningful exercise of the right to vote, which is an aspect of the right to speech and expression, a right to information (the right to know) has been established.

WHETHER THE RIGHT TO KNOW IS AN ABSOLUTE RIGHT UNDER ARTICLE 19?

In the content provided above, we have discussed how the 'right to know' derives its constitutional validity from the freedom of speech and expression under Article 19, clause 1, sub-clause (a). So, freedom of speech and expression is a subject of Article 19(2).

Reasonable restrictions on freedom of speech and expression are provided for under Article 19, clause (2), and the grounds for these are as follows:

1. The sovereignty and integrity of India [16]
2. Security of the state
3. Friendly relation with foreign state
4. Public order
5. Decency or morality, or
6. In relation to contempt of court
7. Defamation, or
8. Incitement to an offence

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The grounds provided here were not mentioned in our original Constitution; some of these grounds were added through different amendments.The Indian judiciary has played a significant role in the origin of all these grounds,

[15] (2003) 4 SCC 399
[16] Inserted by the Constitution (Sixteenth Amendment) Act, 1963

When our Constitution was framed, the original text contained only these grounds upon which limitations could be imposed on the freedom of speech and expression. These grounds are as follow- Libel, Slander, Defamation,Contempt of Court,Decency or Morality and Security of the State & tented to over through the state. And we will explore how this has unfolded through various case laws.

Case- Romesh Thappar v. State of Madras[17]

Ramesh Thapar was the publisher & editor of an English weekly magazine published from Mumbai, titled **Crossroads**. At the time, Thapar had been critical of several policies formulated by Prime Minister Jawaharlal Nehru. Simultaneously, the communist movement in Madras was at its peak. In light of this, the Madras government imposed a ban on the circulation of the magazine in Madras, by exercising the power given under section 9(1-A) of Madras Maintenance of Public Order Act.And the reason given by the government for imposing this restriction was that it was necessary to maintain public safety and public order.

Ramesh Thapar filed a petition directly in the Supreme Court under Article 32 against this restriction imposed by the Government of India. For violation of freedom of speech and expression.

The Hon'ble Supreme Court declared Section 9(A-1) of the Madras Maintenance of Public Order Act, as unconstitutional by stating that restrictions on freedom of speech and expression can only be imposed on the grounds specified in Article 19(2). And Public safety and public order are not mentioned in Article 19(2).And finallyin this case, the Supreme Court, while commenting on 'circulation', stated that circulation is a means through which people obtain information or know the information, therefore, it is an integral part of the freedom of speech and expression under article 19(1)(a).

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Case – Brij Bhusan vs. State of Delhi [18]

Brij bhusan was the printer and publisher of an English-language weekly newspaper published from Delhi, titled 'The Organiser'

On March 2, 1950, the Chief Commissioner of Delhi issued an order under Section 7, Clause (1), Sub-clause (c) of the East Punjab Public Safety Act. The order mandated that any newspaper

[17] AIR 1950 SC 124
[18] AIR 1950 SC 129

must obtain government permission before publishing news, opinions, cartoons, or images related to Pakistan or communal matters, if the government prohibits such content, it cannot be published. And Government said that, this is necessary for public safety and public order but in actual sense it is amount to pre censorship.

The Supreme Court, by a full majority, declared Section 7(1) of the Act unconstitutional. It stated that limitations on freedom of speech and expression can only be imposed on the grounds specified in Article 19(2). Since 'public safety' and 'public order' are not mentioned in Article 19(2), the government cannot impose limitations on freedom of speech and expression on these grounds.

Dissatisfied with these two judgments, Pandit Jawaharlal Nehru's government introduced the First Constitutional Amendment in 1951, by exercising the power granted under Article 368. And at this time, Article 19 Class 2 Ground Score Reasonable Restriction was called.

Through the First Constitutional Amendment, certain grounds in Article 19(2) were remove, and some new grounds were inserted. These grounds are as follows: -Public order, friendly relations with foreign states and insitments to an offence, all these grounds were added. But Libel, Slander and tented to over through the state, all these grounds were removed from original constitution.

Following that, from 1960 to 1963, India suffering from various internal and external challenges —for instance, Jammu and Kashmir sought to establish itself as a separate state, and in 1961, China attacked India. Taking these circumstances into account, the Government of India introduced a constitutional amendment in 1963, adding a new ground for imposing restrictions on the 'freedom of speech and expression' to Article 19, Clause (2): namely, 'sovereignty and integrity.'

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1. The sovereignty and integrity of India [19]
2. Security of the state
3. Friendly relation with foreign state
4. Public order
5. Decency or morality, or
6. In relation to contempt of court
7. Defamation, or

[19] Inserted by the Constitution (Sixteenth Amendment) Act, 1963

8. Incitement to an offence

Article 20 Protection in respect of conviction for offences

And Article 20(3) said that -No person accused of any offence shall be compelled to be a witness against himself.

The right to know is not directly related to Article 20, but there is a connection between them. Article 20, Clause 3 provides protection to an accused, ensuring that authorities cannot forcibly extract information from them if that information is intended to be used against them.

Also, in case of **Kathi Kalu vs State of Bombay**[20]**-** In this case, the accused underwent a narco-analysis test, and the results were intended to be used against him; furthermore, a blood sample was collected from him, which was also used against him. And it was challenged on the grounds that this constitutes a violation of Article 20, Clause 3. Finaly supreme court said that if someone is accused and he has some personal knowledge or information, then that personal knowledge or information cannot be accessed or extracted forcefully, but if the knowledge is accessed through a mechanical process, then in that situation, no violation of article 20(3)

Article 21 – Right to Life and Personal liberty[21]

No person shall be deprived of his life or personal liberty except according to procedure established by law[22]-This simply means that a person cannot be deprived of their life or personal liberty, except in accordance with an established law.

The Supreme Court has interpreted Article 21 in a very broad sense; its protection extends beyond the physical realm to also encompass the protection of dignity.

Article 21 encompasses the 'right to know' in instances where information pertains to an individual's life, health, or liberty. For example, if an industry is being established in a particular area and poses an environmental risk, the local residents have the right to access information regarding that company- specifically if its operations are impacting the environment.

In case of **Reliance Petrochemicals Limited v. Proprietors of Indian Express Newspapers (1988)**[23]In which case did the Supreme Court recognize that the 'right to know' falls not only within the scope of freedom of speech and expression but also within the ambit of Article 21,

[20] 1961 AIR 1808
[21] Bare Act of Constitution of India
[22] Bare Act of Constitution of India
[23] 1989 AIR 190

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thereby granting citizens a power that facilitates their participation in the decision-making process within a democratic country.

Also, in case of **Anjali Bhardwaj vs. Union of India,** [24]In this case, the Supreme Court stated that the 'right to information' or the 'right to know' is a fundamental right that stems from Article 19(1)(a). It is also linked to Article 21, as transparency, good governance, and a healthy democracy require the participation of citizens in the decision-making process.

Article 22- Protection against arrest and detention in certain cases.[25]

Clause 1 of Article 22 said that- No person who has been arrested shall be kept in custody without being informed as soon as possible of the grounds for their arrest. Furthermore, they shall not be denied the right to consult with a lawyer of their own choosing and to have their defence presented[26] and in case of **Joginder Singh Vs. State of utter Pradesh**[27]**-** Joginder Singh was a lawyer who had been arrested, but his family did not know where the police had taken him. He was neither informed of the reason for his arrest nor produced before a magistrate within 24 hours; consequently, he filed a petition in the Supreme Court, alleging a violation of Article 22 of the Constitution of India. Then supreme court said the it is totally violation of article 22 clause 1 of Indian constitution, and right to know the ground of arrestment is a fundamental right granted under article 22(1) of constitution. And the Supreme Court, in several of its various judgments, has also recognized that the right to know the grounds for one's harassment is a fundamental right.

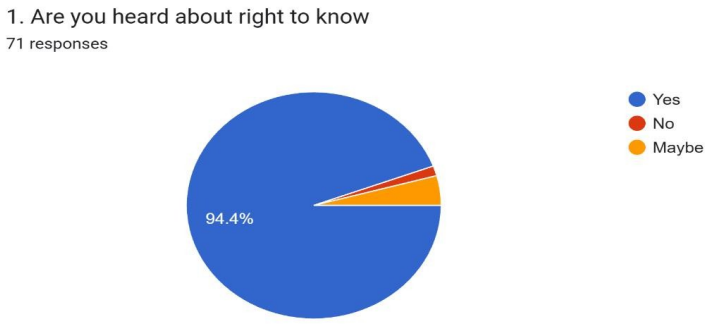
CRITICAL ANALYSIS

A thorough analysis of Indian constitutional provisions and court decisions reveals that the right to know is an essential component of the freedom of speech and expression under Article 19(1)(a) of the Constitution of India. The Supreme Court has consistently held that access to information is essential for meaningful participation in the democratic process, informed decision-making, and government accountability. However, the constitutional protection of the right to know does not necessarily mean unrestricted access to all information held by public authorities. A proper balance must be struck between transparency, national security, individual privacy, and other

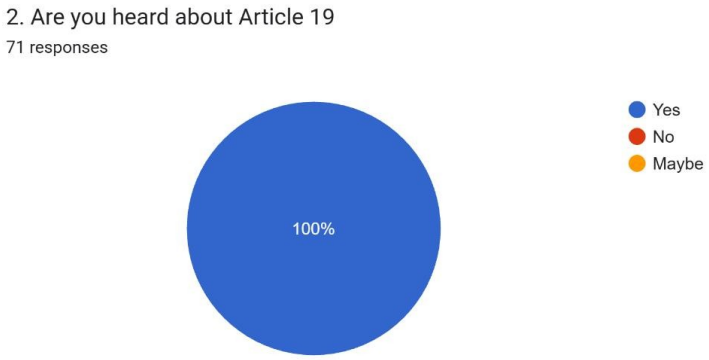
[24] (2019) 18 SCC 246
[25] Bare Act of Constitution of India
[26] Bare Act of Constitution of India
[27] 1994 AIR 1349

legitimate public interests. Therefore, the right to know should be understood as an essential aspect of democratic freedom, subject to reasonable limitations.

To conduct the research, I carried out surveys and asked various types of questions; questions were as follows.



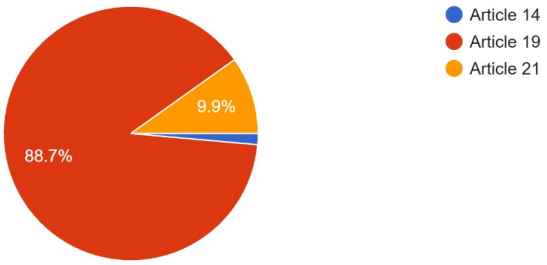
And it is unfortunate for us that, despite more than 94% of people are aware of the 'Right to Know', very few actually make use of it.



People are aware that the 'right to information' is one of their fundamental rights, yet they often fail to exercise it; and even when they do, the authorities frequently fail to provide them with complete information.

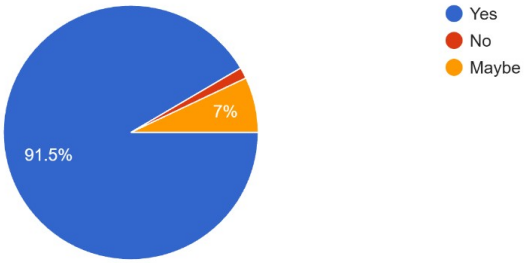
3.Are you aware of the Supreme Court recognizing the right to know under which article

71 responses



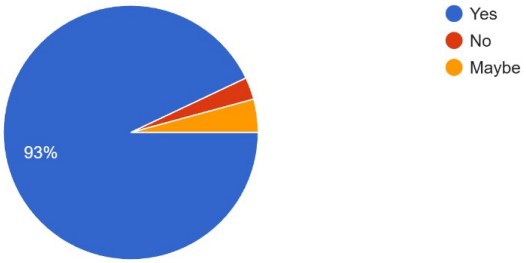
4. Are you aware of the Right to Information Act 2005

71 responses

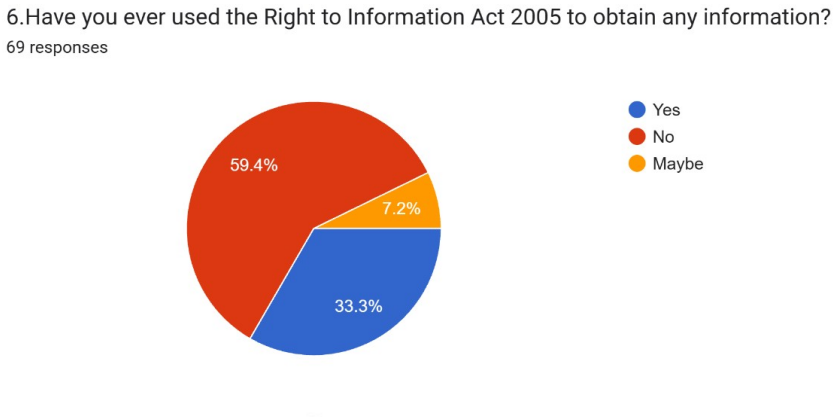


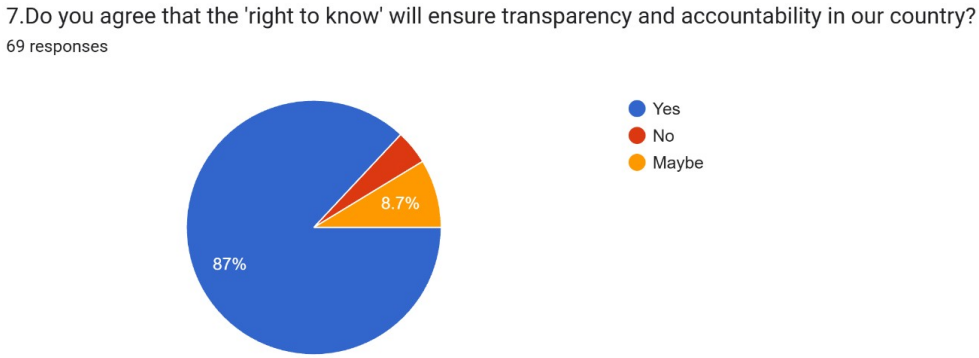
5. Did you know that under the Right to Information Act 2005, every citizens has the right to know?

71 responses

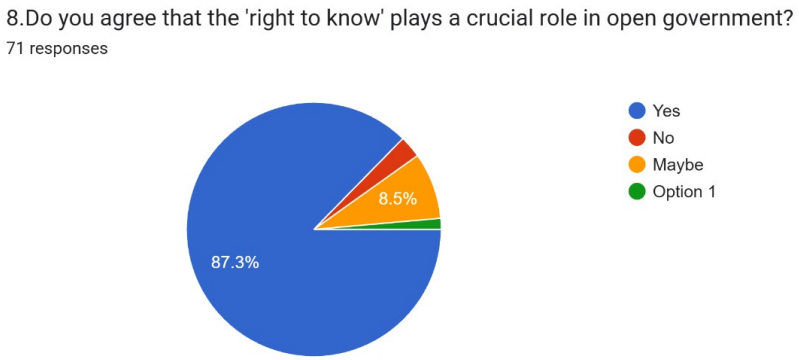


Approximately 93% of people are aware that the Right to Information Act, 2005, was enacted to uphold the 'right to know,' allowing individuals to obtain any information; however, in practice, people are hesitant to file an RTI application to seek such information.





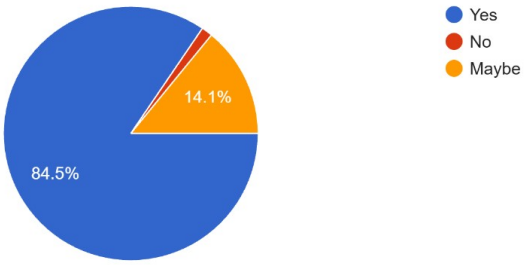
People have expressed strong support for the idea that the 'right to know' ensures transparency and accountability in governance.



The 'right to know' plays a crucial role not only in transparency and accountability but also in open government, and approximately 87% of people have expressed their support for it.

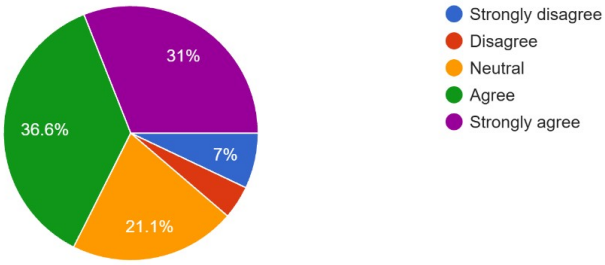
9.Do you agree RTI strengthen the roots of democracy in a country

71 responses



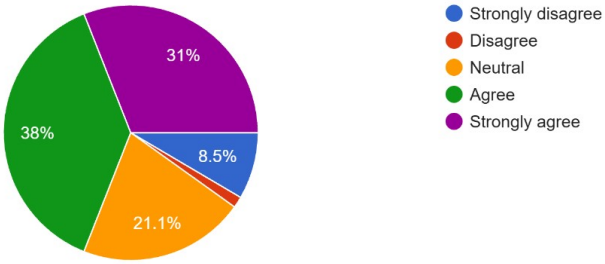
10. Do you agree RTI enables the citizens of India to live with dignity through informed decision-making, participate in decision making and access justice.

71 responses

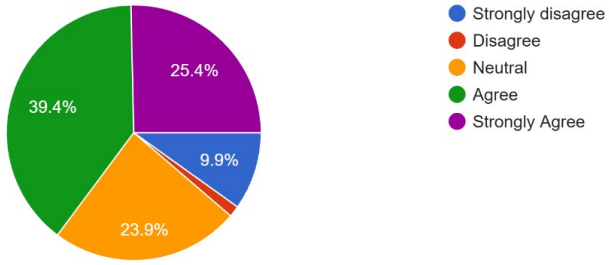


11.Do you agree RTI plays a crucial role in ensuring open government, and when a government is open, then the chances of corruption are significantly reduced.

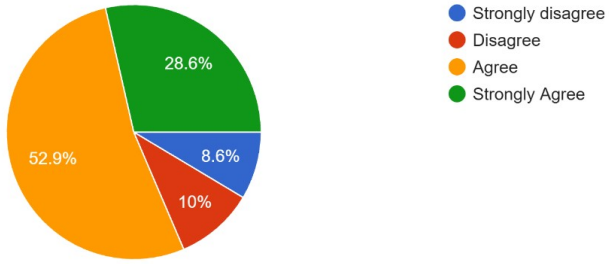
71 responses



12. Do you agree our country upholds the principles of democracy, and within this framework, the RTI (Right to Information) acts as a tool through whic...at all citizens shall have the right to information
71 responses



13.Do you agree RTI fixes the accountability of government: - because it gives power to citizens, through which they can question any action taken b...so obligated to provide an answer to that question
70 responses



RESEARCH FINDING

Based on a doctrinal and non-doctrinal analysis, the research found that the right to know, as an essential part of freedom of speech and expression, falls within the scope of Article 19(1)(a). It is not only a legal right under the Right to Information Act- 2005, but also has an independent constitutional basis recognized by judicial interpretation. And it ensures transparency, fixes the accountability of government, it prohibited the corruption, enables the citizens of India to live with dignity through informed decision-making, participate in decision making and access justice and Its objective is to strengthen the roots of democracy in a country

CONCLUSION

We know that the right to know is not directly mentioned in our constitution but still this concept exists in our Indian legal system because it draws its constitutional validity from some provisions of our constitution like Article 19(1)(A) talks about freedom of speech and expression and the Supreme Court in its different judgments has recognized that the right to know is given to enjoy

the freedom of speech and expression in a manner. And similarly, while the 'right to know' is not explicitly mentioned in Article 20, it is connected to it; Article 20 provides protection to an accused, ensuring that no authority can forcibly extract information from them, if that same information were to be used against the accused. The Supreme Court has also acknowledged this aspect in various judgments.there's no mention of it directly in Article 21, right, but it's still a fundamental right for a person to have access to any information related to life and liberty and to participate in democratic decision-making.

But it is directly mentioned in Article 22 that it is the fundamental right of any accused to know the grounds of his arrangement and no one can take it away from him.If any of these articles are violated, we can file a writ petition directly in the Supreme Court under Article 32, or alternatively, we can file a writ petition in the High Court under Article 226.



Indian Journal of Contemporary
Legal and Social Issues