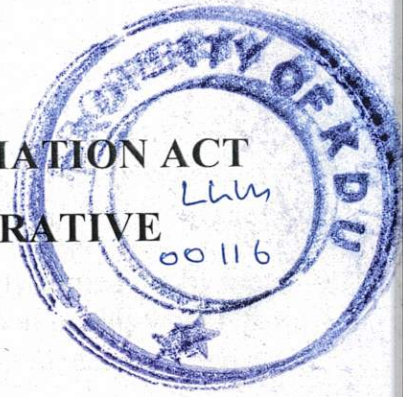


PERMANENT REFERENCE

AN ASSESSMENT OF THE RIGHT TO INFORMATION ACT
NO. 12 OF 2016 OF SRI LANKA: A COMPARATIVE
ANALYSIS WITH INDIA



By

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ABSTRACT

Right to information is an inseparable right to the notion of democracy in the present context. It upholds essential democratic values such as good governance, transparency, accountability of the public authorities. *Right to Information Act No. 12 of 2016* is a remarkable initiative of the Sri Lankan legal system which came through the 19th Amendment to the Constitution of Sri Lanka in 2015. Though the Sri Lankan Right to Information regime is ranked the world's 4th best mechanism, it suffers from several lacunas when it comes to practical implementation. Among these lacunas, absence in disclosing information proactively (PD), non-compliance of timing period requirements when responding to information requests (TPR), and the absence of stating appropriate exceptions when rejecting information requests (SAE) are crucial. Therefore, this research aims to examine the present status and proposes suitable recommendations for main selected features in Sri Lankan Right to Information regime, which would help the citizens and State yield the benefits of effective realization of Right to Information regime. This research based on both qualitative and quantitative methods in order to investigate practical implementation of selected main features. While this research examines and analyzes the theoretical perspectives of these aspects based on literature relating to the Right to Information regime in Sri Lanka and at the International level, the current status of main selected features in the Sri Lankan Right to Information regime is identified as unsatisfactory through the empirical study conducted in this research. It is identified in this research, that responsible authorities should address the issues relating to main selected features in the Sri Lankan Right to Information regime for the effective implementation and full realization of Right to Information regime. At the same time, this research also identified the barriers to overcome these issues from the perspectives of the public service sector and the citizen. While exploring the other provisions of the Right to Information Act that could be employed to solve or minimize these issues, this research provides possible recommendations based on the research findings such as amendments to the Right to Information Act and initiating policy frameworks. In this connection, a comparative analysis is made with the Right to Information regime in India.

Key words: Right to Information, Proactive Disclosure, Time Period Requirement, State Appropriate Exceptions