

# Impact of RTI act: It is time to synchronize computer clocks

Dear Sir,

The Right to Information (RTI) Act empowers an Indian citizen to seek information from any Indian governmental agency. This Act has enabled many individuals to obtain the information necessary to settle disputes. It is an undoubted fact that the Act has helped in the speedy administration of justice in many cases.

Our department recently received an application under the RTI Act seeking photocopies of computerized receipts for payments made as investigation fee for a patient. The argument of the applicant was that these computerized receipts have the time of issue mentioned on them and that this information would be useful in establishing negligence. As per the provisions of RTI Act, we are bound to supply such information to the applicant. This, however, raises an important issue. Hospitals, and most Indian government offices, rely greatly on computers for much of the work. In addition, most state-of-the-art diagnostic equipment, including CT scan, USG, and MRI machines, have inbuilt clocks. In our experience, it is not uncommon for these computer clocks to be out of synchronization with the actual date and time. The impact that this could have can be understood through a few hypothetical examples. Suppose, for instance, that the clock of a CT scan machine is a few hours behind the actual time when a scan is performed for a patient with head injury. The time printed on the scan film would suggest that the patient had the head injury even before the alleged accident that caused it had occurred. It could also suggest that the victim was not actually at the site of the accident when it occurred. Similarly, if the clock of the CT scan machine is a few hours ahead of the

actual time, no proof would be available that the patient's injury had occurred before the surgery undertaken for its treatment! These hypothetical, yet not unreasonable, examples highlight some possible legal complications.

Although we are not aware of any instance where an individual or any governmental office has been penalized for a computer clock being out of synchronization with the actual time, we believe that it is only a matter of time before such a situation arises. Hence, we recommend that individuals working with such machines should ensure that the clocks of the computers under their supervision are synchronized with the actual time. Regular inspections of such computer clocks, with maintenance of official records for such inspections, might be helpful in avoiding charges of negligence.

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