

Right to Information Act

BY-RAVINDRA N. MISHRA

A solid teal horizontal bar at the bottom of the page.

Introduction

The passage of the Right to Information act in the year 2005 by the Indian Parliament was a watershed development towards the goal of good governance. The developed countries had enacted such acts long ago. The Supreme Court of India in its various judgements had held it as part of Article 19 under Fundamental Rights. Right to information has gone a long way in empowering ordinary citizens by ensuring access to information about public policies and other actions of government. The culture of secrecy that had started during British rule under Official Secret Act 1923 continued to be followed till the Right to information act was passed. This had perpetuated arrogance in the attitude of administration and was used as a garb for rampant corruption. This act has removed opaqueness from govt. actions and decisions as people can seek and get information about almost any action of government organizations. It has removed the veil of secrecy and added transparency to the image of administration.

Right to information has made administration participatory and more accountable. Citizens' initiatives in different parts of the country has made administration more accountable, transparent and it has also succeeded in checking corruption by the use of the Right to Information. As the use of this act has exposed the vested interests in different parts of the country and ensured that benefits of government schemes reaches the real beneficiaries without cuts and commissions. This is why it has put the lives of many of the activists in danger.

The Act provides—

1. Makes it obligatory to provide information held by govt. at all the levels.
2. Information-any form of record, document Print, electronic form even physical samples of contract or work.
3. Expanse- whole of country except JK
4. It is applicable to public authorities established by National govt., State government, Union territories and local governments both rural and urban. It also includes agencies financed by them.

What all is excluded?

1. Information on national security, confidential information from foreign govt., cabinet papers, trade and commercial secrets.
2. Intelligence- IB,RAW, Revenue Intelligence
3. BSF,CRPF, ITBP

Information Commission-

1. At both Central and State level
2. One CIC and ten information officers
3. They can give orders and ensure compliance.
4. Central Information Commissioner to be appointed by a committee consisting of the PM, leader of opposition and a minister nominated by the PM.
5. Every administrative units to appoint a Public Information Officer.

Procedure to seek information-

1. Fee for seeking information Rs 10 per request not to be charged from people BPL
2. 30 days for normal application 45 days if third party submission required.
3. If information required concern life and liberty of a person information to be provided within 48hrs.
4. Punishment to PIO, Rs 250 per day not exceeding Rs25000 if application is not accepted, wrong, incomplete information.

Advantages-

1. It makes the system more Transparent
2. Checks corruption in different parts of country
3. Increases participation of citizens in administration.

Problems-

1. The people in power feel threatened
2. Attitude of bureaucracy
3. Lack of awareness among people
4. Protection of activists

Thank You