



## THE RIGHT TO INFORMATION ACT 2005

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### Abstract

The Right to Information Act is the base of cultured modern democracy. It gives freedom of speech and expression. It is basic right in Indian Constitution. At first Sweden passed it in 1760 as the freedom of information law. After it England and European nations followed it. The right gives the people to access. It means to acquire information from any offices by the law. This right is passed in 2005 for all the people. It includes an inspection of records, works and certified. It provides educational programmers to disadvantaged communities. The government of India has prescribed fees. Every public authority must publish in the local language. The rules, regulations, instructions, manuals and records held by it. Information laws can have positive impact on different spheres of society, politics and public administrations. People can complaint about officer's delay or hesitate of their duties. Thus people can get information about various offices.

### Keywords:

Indian Constitution, Right to Information Act, Democracy Positive impact on society, Politics & Public administration.

### Introduction:

The Right to Information Act is the base of cultured modern democracy. To collect information is an important right of people. The people of India resolved to secure themselves, Liberty of thought, expression, and an opinion through the constitution. The right of freedom of speech and expression is recognized by the Supreme Court and also full right to information. It is important to make clean and clearness in Government, official policies, as trust an openness. The Right to Information is basic right in Indian Constitution. Central Government declared about it in 2005 and started all over country from 12 Oct' 2005. India is the 131<sup>st</sup> nation who started the Right to Information Act.

### Background (The world):

In 1766, at first Sweden passed, 240 years ago, The first freedom of information law in the world. The origins of the openness are not in the West but in the East. After this England and other European nations followed it. Canada passed it in 1966, America in 1976, Australia and New Zealand in 1982. The Right to Information can empower and encourage citizens to take charge by participating in decision making, by challenging corruptions in all fields. It is a weapon to change the role and attitude of the citizens from being mere spectators to that of being active participants in the process of governance.

### What is the Right to Information?

The right gives the people to access. It is related to the information held by a public authority, information under the control of a public authority and includes the right to,

- Inspect work, documents. Records etc.

- Take notes, extracts or certified copies of documents or records.
- Take certified samples of materials.
- Obtain information in the form of disk letters, floppies, tapes, video-cassettes or in any other electronic mode or through print outs where such information is stored in a computer or in any other device.

The Right to Information means to acquire information from any offices by the law. This right is passed in 2005 for all the people.

### What are the benefits of the act?

You can seek information about your applications or complaints regarding ration cards, electricity connections, and water supply connections and so on. It helps to run pending works by the public authorities. And force them to redress your grievances quickly without any need of paying bribes.

- To control corruption.
- Holds government and their instrumentality as accountable to governed.
- Facilities informed to the citizens and transparency of information which are vital to Functioning democracy. Information laws can have a positive impact on different spheres of society, politics and public administrations. People can complaint about officer's delay or hesitate of their duties.

### Salient Features of the Act:

- Right to information includes inspection of records, works and certified.
- Information broadly defined includes records, emails, samples and models.
- Public Information Officers (PIO) to provide information.

- PIO has duty to assist requestors and transfer the request to proper public authority, if necessary.
- Reasonable fees, No fees for persons below poverty line.
- No need to give reasons for requesting information.
- Information concerns the life and liberty to be provided within 48 hours.
- Deemed to be refused if no reasons are given in proper way.
- Citizens can directly make complaints and appeal to the information commissions.
- A guide which includes the details PIOs of all public authorities.
- Educational programmes to disadvantaged communities.
- Overriding effect on other secrecy laws.
- Information to be provided expeditiously within 30 days of receipt of request.
- No prescribed form.
- Applies to all public authorities, NGOs, private bodies subject to provisions.
- Annual reporting by the information commissions.

#### **What is information?**

- Records
- Documents
- Memos
- E-mails
- Opinions
- Advices
- Press releases
- Circulars
- Orders
- Logbooks
- Contracts
- Reports
- Papers
- Samples
- Models
- Data material held in any electronic form.
- Information relating to any private body which can be accessed by a public authority under any other law for the time being in force.

#### **Apply to get information from a public authority:**

For making a request for information,

- Send your request in English/ Hindi/ Official language of your area or e-mail.
- Specify the particulars of the information.
- You need not give reasons for your requestor personal details.
- Pay the prescribed fee for application. If you are a person below poverty line, you need not pay any fee.

- The Public Information Officer will assist those who need assistance in preparing the application.
- Specify the form in which you would like to get the information.
- The authorities will intimate you in advance about the charges for getting the information.

#### **Fees pay for the information:**

The government of India has prescribed the following fees:

- To submit your request - Rs.10
  - For each page created/copied - Rs.2
  - If the paper in large size – Actual charge
  - Diskette/ Floppy - Rs.50
  - Samples/ Models – Actual charge
  - Printed matter – Rs.2 for page.
  - Each subsequent hour – Rs.5
- Fees may be paid in cash/ demand draft/ banker's check/ Indian postal order/ payable to the Accounts Officer of the public authority. Fees may vary from one state to another. Please check the fees prescribed by your state government.

#### **Complaint to the Information Commission:**

- In no public information officer is appointed.
- If the APIO or the PIO refuses your request.
- If the unreasonable fees for demanded by the PIO.
- If incomplete, misleading or false information is given, Information Commissions have the power to order a public authority.
- To provide the information records.
- To appoint the Public Information Officers.
- To publish information.
- To reject the request.

#### **Information disclosed (open) by the Public Authority:**

Every public authority must publish in the local language the following:

- The particulars of its organization, functions and its duties.
- The powers and duties of its officers and employees.
- The procedure followed in the decision making process, including channels of supervision and accountability.
- The norms set by it for the discharge of its functions.
- The rules, regulations, instructions manuals and records held by it.
- A statement of the categories of the documents that are held by it.
- The particulars of any arrangement that exists for the consultation with.
- A directory of its officers and employees.

- The monthly remuneration received by each of its officers and employees.
- The budget allocated to each of its agency, indicating of its plan.
- The manner of execution of subsidy programmes and amount allocated.
- Particulars of recipients of concessions, permits or granted by it.
- Details in respect of the information available to.
- The particulars of the facilities available to the citizens for obtaining information.
- The names, designations, and other particulars of the Public Information Officers.

**Conclusion:**

The right to information act 2005 discloses information to all people about various departments. It gives strength and opportunity to common people to observe works and duties of various offices. People can get right to demand any information. People may complaint about officers delay or hesitation of their duties. This right is helpful to control and improve official works.

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