

RIGHT TO INFORMATION ACT 2005

RTI Act - Aims

- **Democracy requires informed citizenry and Transparency of information in functioning**
- **Containing Corruption and to hold Governments accountable to the governed**
- **Harmonizing the conflicting interests of revelation of information and preservation of Confidentiality of sensitive information**
- **Setting up of Practical Regime of RTI for Citizens**
- **To promote Transparency and Accountability in the working**

Right to Information Act, 2005

Came into force from 15th June 2005

Applies to:

- Whole of India, both Central and State Governments (except J&K).
- All “Public Authorities” covered by the Act.

Does not apply to:

- 22 Intelligence and Security Organizations of the Central Government
- 7 Intelligence and Security Organizations of the State Government

Right to Information

Sec.2 (j)

Right to information accessible under the Act which is *held by or under the control of* any public authority and includes the right to

- inspection of work, documents, records
- taking notes, extracts, or certified copies of documents or records
- taking certified samples of material
- obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts.....

Information

Sec.2(f)

Any material in any form

- including records, documents, memos, e-mails
- opinions, advice, 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

Public Authority

section 2 (h)

Any Authority or Body or Institution of Self – Government established or constituted:

- (a) by or under the Constitution
- (b) by any other law made by Parliament
- (c) by any other law made by State Legislature
- (d) by notification issued or order made by the appropriate Government
- (e) body owned, controlled or substantially financed directly or indirectly
- (f) Non-government organizations substantially financed, directly or indirectly by funds provided

Obligation of Public Authorities under RTI Act

Section 4

- Maintain all its records duly catalogued and indexed
- Computerize within a reasonable time subject to availability of resources
- Networked all over the country
- Proactive Disclosure of Information
- Periodic (continuing) Proactive Disclosure
- information, suo motu, to the public at regular intervals
- designate State Public Information Officers in all administrative units

Proactive Disclosure of Information

Section 4 1 (b)

- Particulars of organisation, functions and duties
- Directory of officers/employees
- Powers and duties of officers and employees
- Procedures in decision-making process - channels of supervision and accountability
- Norms set by it for discharge of functions
- Information regarding the rules, regulations, instructions used for the discharge of its functions

Proactive Disclosure of Information

Section 4 1 (b)

- Statement of categories of documents held by it and under its control
- Information on policy formulation/ Implementation
- Advice by Boards, Councils, Committees etc.
- Monthly remuneration of officers/employees
- Budget allocated to each of its agencies - particulars of all plans, proposed expenditures and reports on disbursements made

Proactive Disclosure of Information

Section 4 1 (b)

- Execution of subsidy programmes including the amounts allocated and the details of beneficiaries of such programmes
- Details of information available to, or held by it, reduced in an electronic form
- Particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use
- Names, designations and other particulars of the Public Information Officers.

- Sec 5 : Appointment and obligations of PIOs/ APIOs
- Sec 6 : Request for Information
- Sec 7 : Disposal
- Sec 8 : Exemptions
- Sec 9 : Rejection – Protection of copyright
- Sec 10 : Access to part of record
- Sec 11 : Third Party Information

RTI 2005: An Overview

Chapter III: Central Information Commission

- Sec 12: Constitution of Central Information Commission
- Sec 13: Term of Office and Conditions of Service
- Sec 14: Removal of Chief & Other Information Commissioners (Central)

Chapter IV: State Information Commission

- Sec 15: Constitution of State Information Commission
- Sec 16: Term of Office and Conditions of Service
- Sec 17: Removal of Chief & Other Information Commissioners (State)

RTI 2005: An Overview

Chapter V: Powers & Functions of the Information Commissions, Appeal and Penalties

Sec 18: Powers & Functions of the Information Commissions

Sec 19: Appeal

Sec 20: Penalties

Chapter VI: Miscellaneous

Sec 21 : Protection of action taken in good faith

Sec 22: Act having overriding effect

Sec.23: Bar of Jurisdiction of Courts

Sec 24: Act not applies to certain organisations

Sec 25: Monitoring and Reporting

RTI 2005: An Overview

Sec 26: Appropriate Government to prepare programmes for Capacity Building

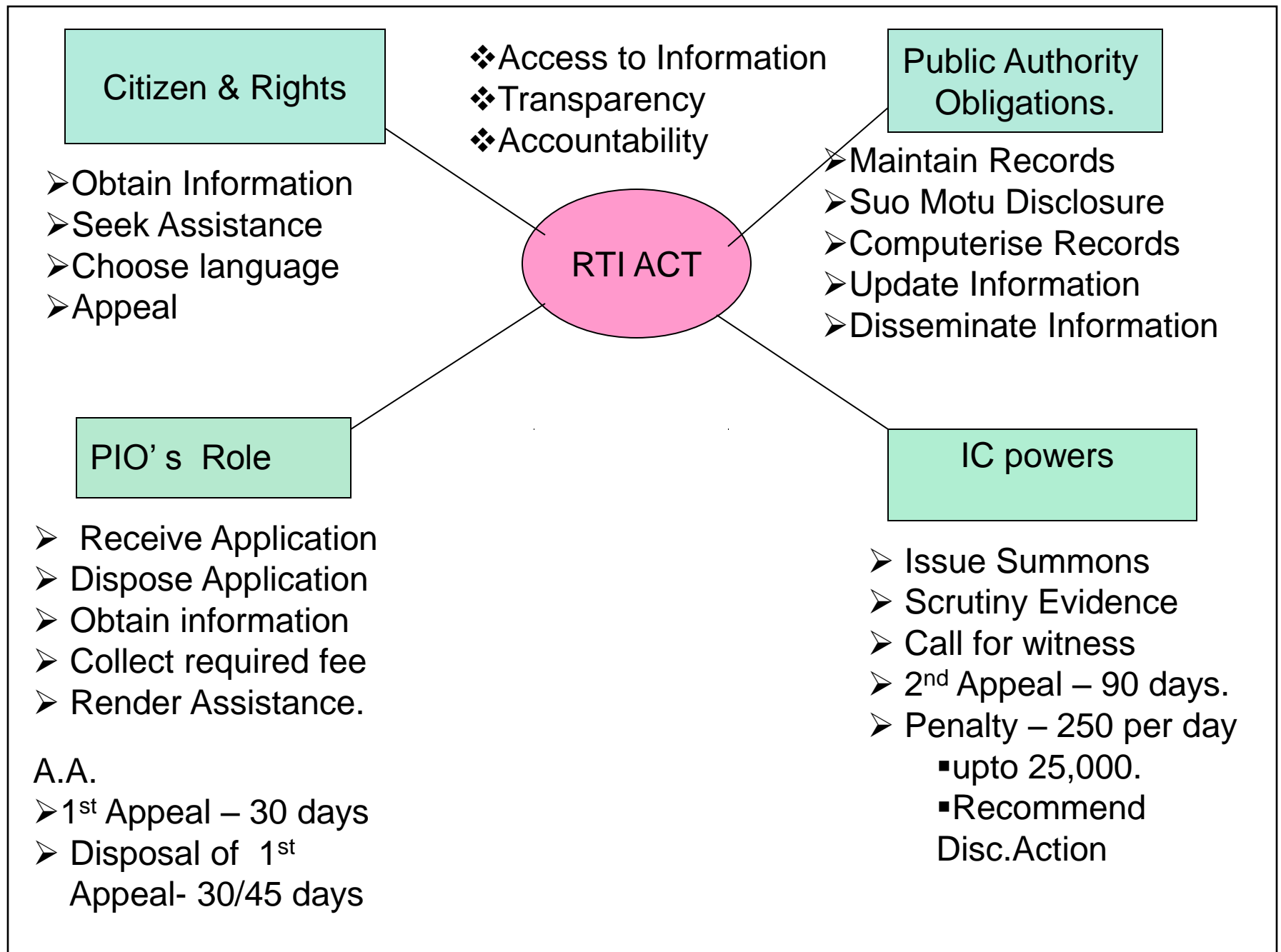
Sec 27: Powers to make Rules by Government

Sec 28: Powers to make Rules by Competent Authority

Sec 29: Laying of Rules

Sec 30: Power to remove difficulties

Sec 31: Repeal of Freedom of Information Act' 02



THANK YOU