

THE RIGHT TO INFORMATION ACT, 2005: A BRIEF

WHAT IS THE RIGHT TO INFORMATION ACT, 2005?

The Government of India has enacted "The Right to Information Act, 2005" to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of Public Authorities in order to promote transparency and accountability in the working of any public authority.

WHAT DOES RIGHT TO INFORMATION MEAN?

Right to information means the right to information accessible under the Act which is held by or under the control of any Public Authority and includes the right to inspect the work, document, records, taking notes, extracts or certified copies of documents/records, certified samples of the materials and obtaining information which is also stored in electronic form.

WHO CAN ASK FOR INFORMATION?

Any citizen can request for information by making an application in writing or through electronic means in English/Hindi/Official language of the areas, in which the application is being made together with the prescribed fees.

WHO WILL GIVE INFORMATION?

Every public Authority will designate Central Assistant Public Information Officer (CAPIO) at various levels, and necessary number of Central Public Information Officers (CPIO) in all the offices who will arrange for providing necessary information to the public as permitted under the Act. The public authority is also required to designate such officer who is senior in rank to the CPIO as Appellate Authority, who will hear the appeal against the decisions/orders passed by a CPIO.

THE INFORMATION WHICH IS EXEMPTED FROM DISCLOSURE

As per sections 8 & 9 of the Act, 2005 certain categories of information are exempt from disclosure to the citizens. The citizens/public may also refer to the relative sections of the Act before submitting a request for information.

ROLE OF PUBLIC INFORMATION OFFICERS/APPELLATE AUTHORITIES

Central Assistant Public Information Officer (CAPIO)

The CAPIO will receive the application or the appeal under the Act and forward the same immediately to the CPIO or the Appellate Authority as the case may be along with the relevant information/documents.

Central Public Information Officer

The CPIO will deal/process the request for providing the information and dispose off the same, either by providing the information or rejecting the request within a period of 30 days from the date of receipt of request. The Central Public Information Officer may seek the assistance of any other officer as he or she considers it necessary for the proper discharge of his or her duties. Any officer, whose assistance has been sought, shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer.

Appellate Authority

The Appellate Authority will entertain and dispose off appeals against the decision of Public Information Officers as required under the Act. Any person, who does not receive a decision within the time specified under the Act, may within 30 days from the expiry of such time or from the receipt of such decision can prefer an appeal before the Appellate Authority.