

ISSUE₁ MONTH₁₁ YEAR₀₆

"In a government of responsibility like ours where the agents of the public must be responsible for their conduct there can be but a few secrets. The people of this country have a right to know every public act, everything that is done in a public way by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearings."

Supreme Court in State of UP vs Raj Narain in 1975

the INFORMER

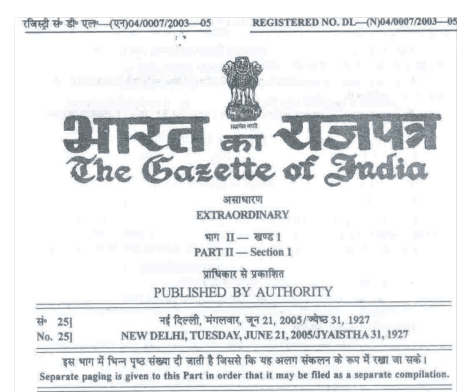
E-Newsletter on The Right To Information by the National Campaign for People's Right To Information (NCPRI)

The National Campaign for People's Right to Information is bringing out its first E-news letter from November 30th 2006. The main purpose of the newsletter is to give NCPRI members an opportunity to keep up with the developments on Right to Information from across the country. The newsletter is also a medium to share the use of the RTI Act and various developments on the RTI with other interested individuals/groups.

Right to Information Act 2005...

...is a landmark legislation passed by the Parliament of India in May 2005. The Act came into affect from October 13 2005 and is applicable to all states and union territories of India other than the state of Jammu and Kashmir. All central, state, non-government and private organisations substantially financed directly or indirectly by the Government are covered by the Act. The RTI Act allows every citizen to access any official information (i.e., records, documents, files/papers, samples of material, audio/visual material), which affects the interest of the public and was earlier denied under the Officials Secrete Act 1923. Public Information Officers and Asst. Public Information Officers are deputed at the central, state, district, and block level to facilitate access to information. An application for information, drafted on a plain sheet of paper must be submitted to these officers along with an application fee, which varies from state-to-state. Failure to provide information without reasonable clause invokes a penalty of Rs. 250 per day to a maximum of Rs. 25,000 on the defaulting officer. Central and State Information Commissions are independent appellate bodies constituted to monitor the implementation of the Act. These Commissions function like Civil Courts and have the powers to impose penalties.

In the last one year since the Act has been in force there have been several cases where ordinary citizens enabled by the Right to Information Act have been able to interact with the government and for the first time have had their works done without a payment of bribe. From issues of day-to day governance like the delivery of ration cards, passports, income tax returns to larger policy level decisions like the Delhi 24x7 reforms project have all seen the desired success that citizens have been awaiting for so many years. For the first time in independent India – a sovereign democratic republic, the people who choose their functionaries to govern on their behalf have been able to hold the functionaries accountable.



MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 21st June, 2005/Jyaistha 31, 1927 (Saka)

The following Act of Parliament received the assent of the President on the 15th June, 2005, and is hereby published for general information:—

THE RIGHT TO INFORMATION ACT, 2005
No. 22 of 2005

[15th June, 2005.]

An Act 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 every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

WHEREAS the Constitution of India has established democratic Republic;

AND WHEREAS democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed;

AND WHEREAS revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information;