



## Right to information Act – 2005

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**Abstract:** Right to information is a basic need of good governance. The present paper describe that this act is not only the “Right to information” but really matter is the “Right to be informed.” This act is the only one



which has the capability to change the administrative system from government to governance and from governance to good governance. In a democracy people can fulfill their important role only if it is an open government. The concept of open government is the direct emanation from right to know which seems to be manifest in the right of speech and expression under article 19 (1) (a) of the constitution. So let us come together to make the act a living reality for a common man.

### Keywords

Democracy, governance, constitution, corruption, document, records

### Introducion

Information is an inalienable and natural right of every human being. In a democratic country each person has the right to freedom of opinion and expression. This right includes right of holding public opinion and to seek, receive and impart information and ideas from the public authorities. The available and appropriate information helps citizen to live a dignified life in a civilized society.

In India, Right to Information is the need of hour. Human security, shelter, food, environment and employment opportunity are all bound up with right to information. In the absence of information on this issue, people cannot live a dignified life and will remain ever marginalized group in the society. It is a powerful instrument to protect the fundamental rights of people. Corruption and criminalization is the nerve of Indian bureaucracy today. The secrecy they have maintained is a source of corruption and harassment. Though India is the world largest democracy, it now fails to attain confidence from common people. As a taxpayer, each person should have the right to know the functioning of government machinery. In addition to this, in a democratic country, citizen can be regarded asset only when citizen develop the skill to gain access to information of all kinds and to put such information to effective use. Without intellectual freedom the success of democratic governance can not be imagined. Information is now the sole of every government.



As we all know that a government of a country is of its people, for its people and by its people. However, this is forgotten and a government is now said to be off its people, far from the people and to buy its people. Every citizen of India has their own fundamental right to freedom and expression and have the right to know about our government. But it is not practiced. We citizens are dumb and deaf to the subject relating to information about the government. The government servants think that they are different from the common citizen of our country. Right to Information act buries the feelings of the government servants and paves way to think that they are also one among the citizen of this country. In a democratic country like India, the Right to Information act plays a very important and helpful role for the betterment of its people. Following will help the people to understand about the act in brief in a single view.

### **What is Right to Information?**

Every citizen has a right to know how the Government is functioning. Right to Information empowers every citizen to seek any information from the Government, inspect any Government documents and seek certified photocopies thereof. Some laws on Right to Information also empower citizens to official inspect any Government work or to take sample of material used in any work.

**Right to Information includes** the right to:

1. Inspect works, documents, records.
2. Take notes, extracts or certified copies of documents or records.
3. Take certified samples of material.
4. Obtain information in form of printouts, diskettes, floppies, tapes, video, cassettes or in any other electronic mode or through printouts.

### **When was this Right to Information act brought into force?**

This act was passed in the Indian Parliament on 15th June 2005 and was brought into force on 12 October 2005.

### **Who are connected with this Right to Information act?**

This Right to Information act is applicable to all the states and Union territories of India except the state of Jammu and Kashmir which has its own Right to Information act 2009.



Every citizen of India has the right to seek information through this act. Only an Individual can use this RTI facility. A group or company cannot request for any information

**Which are the government offices where we can seek information through this RTI act?**

The citizen of India has all the right to seek information related to the Indian constitutional authorities, viz; the executive, the legislative, judiciary, any other institution or body constituted by the act of parliament or state legislature. Any private institution financed and supported by the constitutional authorities.

**How the information is sought through this RTI act?**

1. Apply in writing or through electronic means in English or Hindi or in the official language of the area, to the PIO, specifying the particulars of the information sought for.
2. Reason for seeking information are not required to be given.

**What information can be obtained through this RTI act?**

This act facilitates the citizen of India to obtain government documents, to inspect government documents, to inspect government works and to get the samples. (Government document means anything big to small including the Ration card, Election ID card)

**What is the time limit to get the information through this RTI act?**

1. 30 days from the date of application.
2. 48 hours for information concerning the life and liberty of a person.
3. 5 days shall be added to the above response time, in case the application for information is given to Assistant Public Information Officer.
4. If the interests of a third party are involved then time limit will be 40 days (maximum period + time given to the party to make representation).
5. Failure to provide information within the specified period is a deemed refusal.

**What is the fee?**

1. Application fees to be prescribed which must be reasonable.
2. If further fees are required, then the same must be intimated in writing with calculation details of how the figure was arrived at;
3. Applicant can seek review of the decision on fees charged by the PIO by applying to the appropriate Appellate Authority;
4. No fees will be charged from people living below the poverty line



5. Applicant must be provided information free of cost if the PIO fails to comply with the prescribed time limit.

**What could be the ground for rejection?**

1. If it is covered by exemption from disclosure.
2. If it infringes copyright of any person other than the State.

**Should we explain the reason for which we are seeking such information?**

No, explanation to a request is necessary and the reason for request need not be indicated.

**How many requests can be made in one application through this RTI act?**

There was no mention about this in the original act. However, one information in one request is suggested in the modification to this act.

In conclusion, Right to information act helps the citizen to exercise their fundamental right to get information without any denial from the authorities. It helps the people to get the information pertaining to self relating to the government. It also helps to find out the corrupt functioning of the government and its officials. This Right to Information act has been conceived and delivered in a better shape that will lead India to move forward by reducing corruption in government departments. With this a government servant recognizes and respects the citizen of India and the government fears its people for wrong doings.

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