

Right To Information Act, 2005 - A Brief Review

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Abstract

Right To Information Act, 2005 - Its Importance, Procedural guide lines, Exemptions, Requisite fee, application procedure, how to obtain required information through RTI Act.

Introduction

The efficacy is a global concern. It is found in both rich and poor Countries. As with many developing nations efficacy is widespread in India. India is ranked 84 out of 180 countries in Transparency international's efficacy Index.

Its score has improved consistently from 2.7 in 2002 to 3.4 in 2008. The efficacy has taken the role of pervasive aspect of Indian Politics and bureaucracy.

The Vohra Report was submitted by the former Indian union Home Secretary N.N. Vohra in October 1993. It has studied the problem of Criminalization of politics and of the nexus among criminals, Politicians and bureaucrats in India.

As per transparency international India, India efficacy study 2005, Kerala is the least corrupt state in India. Uttar Pradesh, on the other hand, is the most corrupt state. Jammu & Kashmir ranks next to Bihar. Himachal Pradesh followed by Gujarat are ranked second and third respectively after Kerala.

Its study was carried across eleven public services. Kerala was found least corrupt in all these public services. Himachal Pradesh was found less corrupt.

In Gujarat public services such as education, judiciary and land administration was ranked as more corrupt compared to other states.

The study done by Transparency International (TI) is questionable and cannot be fully accepted. The method used in this study cannot justify the ranking of states.

In July 2008 the Washington post reported that nearly a fourth of the 540 Indian parliament members faced criminal charges.

It is including human trafficking, immigration rackets, embezzlement, rape and even murder. At state level, things are often worse. In Uttar Pradesh Assembly elections 2002, conditions with criminal records won the majority of seats.

A 2005 study done by Transparency International (TI) in India found that more than 50% of the people had firsthand experience of paying bribe or peddling influence to get a job done in a public office.

The efficacy is rampant in the judicial system of India. The Transparency International, (TI) judicial efficacy in India is attributable to factors such as delays in the disposal of case, shortage of judges and complex procedures, all of which are exacerbated by a preponderance of new laws.

The right to information Act (2005) and equivalent acts in the states. It requires government officials to furnish information. It has requested by citizens or face punitive action, computerization of services and various central and state government acts.

The established vigilance commissions have considerably reduced efficacy or at least have opened up avenues to redress grievances. The 2006 report by Transparency International (TI) puts India at the 70th place and states that significant improvement were made by India in reducing efficacy.

The United Nations Development Programme and The YP Foundation organized a Right to Information workshop at Hans Raj College here on Wednesday.

The workshop was the first in a series of six workshops which will be organized till February 2010. The workshops will be held at Winds College, College of Business Studies, Amity Law School and two South Campus colleges.

The Participants also wanted to know if the Act was friendly to the handicapped. The time duration a public information officer had to respond to an application. The ground has rejected of applications and steps to be taken in case of rejection of applications.

The Chief Information Commissioner or an Information Commissioner, at the time of his appointment is, in receipt of a pension, other than a disability or wound pension, in respect of any previous service under the Government of India or under the Government of a State, his salary in respect of the service.

The Chief Information Commissioner and Information Commissioner shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity.

The Chief Information Commissioner is Information Commissioner. The time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act.

The M.P. State Act and a Government company owned or controlled by the Central Government and the State Government. It is salary in respect of the service as the Chief Information Commissioner and an Information Commissioner. It shall be reduced by the amount of pension equivalent to the retirement benefits. The salaries allowances and other conditions are of service of the Chief Information Commissioner. The Information Commissioners shall not be varied their disadvantage after their appointment.

Appointment of other officers and employees -

The Central Government shall provide the Chief Information Commissioner and the Information Commissioners with such officers and employees it is necessary for the efficient performance of their functions under this Act, The salaries and allowances payable. The terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

The Central Government has framed the Central Information Commission (Management) Regulations, 2007. The office of Registrar is smooth- functioning of the office of the Central Information Commission.

Appointment of Registrar:

According to Rule 3 of the 'Regulations, the Commission may designate one or more of its officers in the Commission to function as Registrar of the Commission. It may designate other officers of the Commission to act as Additional Registrar, joint Registrar, Deputy Registrar, and Assistant Registrar and provide other staff that may be necessary to assist the Registrars in the performance of their duties and responsibilities. Powers and functions of the Registrar:

According to Rule 4 of the Regulations, the Registrar has the following powers and functions:

- The Registrar shall be the Chief Executive of the Commission on

the judicial side.

- Any communication addressed to him will be deemed to be addressed.
- The Commission and the Commission will be represented by him in all judicial matters.
- The Registrar shall discharge his functions under the control and superintendence of the Chief Information Commissioner.
- All records of the Commission shall be in the custody of the Registrar.
- The Official Seal of the Commission shall be kept in the custody of the Registrar.
- The special directions of the Chief Information Commissioner.
- The Official Seal of the Commission shall be affixed to any order, summons or other process under the authority of the Registrar.
- The Official Seal of the Commission shall not be affixed to any certified copy issued by the Commission save under the authority of the Registrar.
- The office of the Registrar shall receive all applications, appeals, counter statements, replies and other documents.
- The Registrar shall decide all questions arising out of the scrutiny of the appeals and complaints before these are registered.
- The Registrar may require any application, appeal, counter statement, replies presented.
- The Commission to be amended in accordance with these Regulations and direct any formal amendment of such records.
- The Registrar shall the date of hearing of appeal, complaint or other proceedings and may prepare and notify in advance a case list in respect of the cases listed for hearing.
- The Registrar will decide questions relating to extension of time in respect of filing of counter statement, reply, rejoinder, etc.
- The Registrar may, on payment of a fee prescribed for the purpose, grant leave to a party to the proceedings to inspect the record of the Commission under supervision and in the presence of an officer of the Commission.
- Copies of documents authenticated or certified shall be provided to the parties to the proceedings only under the authority of the Registrar.
- The Registrar shall communicate the decisions, orders or directions of the Commission to the concerned person.
- It is all such communications signed or authenticated by the Registrar or under his authority shall be deemed to be the communication from the Commission.
- The Registrar shall be responsible for ensuring compliance of the orders, directions or decision is passed by the Commission and to take all necessary steps in this regard.
- The Registrar shall ensure that decency, decorum and order are maintained during hearing of an appeal.
- It is complaint or any other proceedings maintained and shall take all necessary steps in this regard.

- The Registrar shall exercise all such powers and discharge all such functions as are assigned to him by these Regulations or by the Chief Information Commissioner from time to time.
- The Registrar shall assist all Information Commissioners in discharge of their functions.
- The Additional Registrar shall have all the powers conferred on a Registrar and will exercise all the functions of the Registrar under his guidance.
- The Registrar may with the approval of the Chief Information Commissioner delegate to a Joint Registrar.
- Deputy Registrar or Assistant Registrar any function required to be performed under these Regulations.

Functions of the Central Information Commission:

- According to Section 18(1) of the Act, subject to the provisions of this Act, it shall be the duty of the Central Information Commission to receive and inquire into a complaint from any person-
- Who has been unable to submit a request to a Central Public Information Officer
- either by reason that no such officer has been appointed under this act.
- The Central Assistant Public Information Officer has refused to accept his or her application for information.
- It is appeal under this Act for forwarding the same to the Central Public Information Officer
- And senior officer specified in sub-section (1) of Section 19 and the Central Information Commission;
- Who has been refused access to any information requested under this Act.
- Who has not been given a response to a request for information or access to information within the time limit specified under this Act?
- Who has been required to pay an amount of fee which he or she considers unreasonable.
- Who believes that he or she has been given incomplete, misleading or false information under this Act; and
- In respect of any other matter relating to requesting or obtaining access to records under this Act.

The Central Information Commission is satisfied that there are reasonable grounds to inquire into the matter. It may initiate an inquiry in respect thereof.

Powers of the Central Information Commission:

According to Section 18(3) of the Act, the Central Information Commission shall, while inquiring into any matter under this section, have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:-

- Summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things.
- Requiring the discovery and inspection of documents.
- Receiving evidence on affidavit.
- Requisitioning any public record or copies thereof from any court or office.

- Issuing summons for examination of witnesses or documents; and
- Any other matter which may be prescribed.

The Section also empowers the Central Information Commission during the inquiry of any complaint under this Act, may examine any record to which this. Act applies which is under the control of the public authority, and no such record may be withheld from it on any grounds.

It is apparent that all the sub-sections of Section 18 refer to the powers of the Information Commission to inquire into a complaint. Section 18(2) deals with the initiation of inquiry by the Information Commission.

Section 18(3) spells out the powers of the Information Commission while conducting such an inquiry and Section 18(4) empowers the Information Commission to examine any record to which the RTI Act applies during the course of inquiry by the Information Commission.

It is apparent from all these provisions that the inquiry that is contemplated under Section 18 is an inquiry by the Information Commission itself.

The Commission did not have the over to appoint the Committee:

There is no provision for an inquiry to be conducted by any other Committee for and on behalf of the Information Commission. A question arose before the Court whether the Central Information Commission has the power, under the RTI Act.

The Rules made there under to appoint a Committee of persons other than the members of the Commission, to inquire into the implementation of the obligations cast upon a public authority, such as the DDA by virtue of Section 4 of the RTI Act?

The Court held that there is nothing in the Act which empowers the Central Information Commission to appoint a committee to conduct an inquiry on its behalf, the only rules that have been framed under Section 27 of the RTI Act, namely.

- The Right to Information (Regulation of Fee and Cost) Rules, 2005.
- The Central Information Commission (Appeal Procedure) Rules, 2005.
- None of these Rules deals with the powers of inquiry of the Central Information Commission.

Therefore, there is nothing prescribed either in the Act or the Rules made there under, whereby the Central Information Commission could be said to have been empowered to delegate its power of inquiry under Section 18 to some other person or a Committee of persons.

The Central Information Commission did not have the power to appoint the Committee to examine the relevant provisions of Section 4. The Court set aside the order of Chief Information Commissioner and held that the Central Information Commission.

The Chief Information Commissioner has travelled beyond their boundaries of power and has thereby transgressed the provisions of the very Act which created them.

The Gujarat High Court held that power of Information Commission under Section 18 is limited to hold the inquiry into complaint and if necessary to impose penalty. Information Commission has no jurisdiction to pass an order directing authority to part with the information.

The Chief Information Commissioner has no powers to frame rules-

Whether the Chief Information Commissioner has the power to make rules under Section 12(4) of the RTI Act? The Delhi High Court held that the Chief. Information Commissioner does not fall within the

definition of appropriate Government or the competent authority.

In other words, the Chief Information Commissioner has no powers to make rules under Section 27 or Section 28. Both the appropriate Government and the competent authority have been empowered by the said Rules to make rules to carry out the provisions of the RTI Act.

However, such rules would only be operative if they are notified in the Official Gazette. In this case, the ostensible source of power for framing the said Regulations is indicated to be Section 12(4) of the RTI Act.

The provision only relates to the superintendence, direction and management of the affairs of the Central Information Commission. Section 12(4) cannot be regarded as the fountain-head of the power to make regulations whether expressly or by implication.

The scope and ambit of Section 12(4) is limited to the management of the affairs of the Central Information Commission. The words superintendence, direction and management are all used in a synonymous sense and concern the internal affairs of the Commission.

The power which vests in the Chief Information Commissioner by virtue of Section 12(4) does not extend to the subject-matter of the rule making powers of the appropriate government, or the competent authority, under Sections 27 and 28 respectively. The impugned Regulations are quashed as being ultra vires the Right to Information Act, 2005.

CIC does not have power to issue directions:

The Central Information Commission had the power to issue a direction requiring the presence of the Vice-Chairman, DDA in the proceedings before it? There is no doubt that while the Central Information Commission is conducting an inquiry into a matter under Section 18 of the said Act.

The power is to summon and enforce the attendance of persons and compel them to give written or oral evidence on oath and to produce the documents and things. It is only for the purposes of giving evidence and to produce documents or things that a person may be summoned by the Central Information Commission.

This power of summoning for the purposes of evidence cannot be read as a general power to call any person for any purpose in the course of hearing before the Central Information Commission. In the present case, the Vice-Chairman, DDA was not summoned for either giving oral evidence or written evidence and to produce any documents and things in his possession. He was directed to be present for other reasons. That power is not there with the Central Information Commission. Such a power only exists in courts of plenary jurisdiction.

CIC is not a court-

It was held by the Court that the Central Information Commission is not a court and certainly not a body which exercises plenary jurisdiction. The Central Information Commission is a creature of the statute and its powers and functions are circumscribed by the statute.

It does not exercise any power outside the statute. There is no power given by the statute to the Central Information Commission to call any person or compel any person to be present in a hearing before it in the proceedings under the Act, except for the purposes of giving evidence oral or written or for producing any documents or things.

CIC cannot be made a party to sue-

Hon'ble Delhi High-Court held that like any other quasi-judicial authority, the CIC is not expected to defend its own orders. Likewise, the CIC cannot be called upon to explain why it did not follow any of its earlier orders. It is clear that the CIC should not be made a party in any proceedings under the RTI Act.

There is no hierarchy in Central and State Information Commission-

The Right to Information Act, 2005 provides for the constitution of the Central Information Commission under Section 12(1) of the Act and the State Information Commission under Section 15(1) of the Act to exercise the powers conferred and to perform the functions assigned to and under the Act.

The Central Information Commission is constituted by the Central Government and the State Information Commission is constituted by the respective State Government. Since the Central as well as the State Information Commissions are constituted by the respective Governments, their jurisdiction will naturally be separate and distinct.

It would come within the domain of the State would fall within the jurisdiction of the State Information Commission and whatever is within the domain of the Union of India will be within the exclusive jurisdiction of the Central Information Commission.

High Courts are under the jurisdiction of Central Commission:

The constitution and organization of the High Court's is within the legislative ambit of the Parliament under Entry 78 to the Schedule VII of the Constitution. Article 231 of the Constitution provides that the Parliament may by law establish a common High Court for two or more States or two or more States and Union Territories.

Thus, all the High Courts as Public Authorities under the Right to Information Act, 2005 will come within the jurisdiction of the Central Information Commission and not State Information Commission.

Monitoring and Reporting by the CIC-

According to Section 25 of the Act, the Central Information Commission shall as soon as practicable after the end of each year, prepare a report on the implementation of the provisions of this Act during that year and forward a copy thereof to the appropriate Government.

Each Ministry or Department shall, in relation to the public authorities within their jurisdiction, collect and provide such information to the Central Information Commission as is required to prepare the report under this Section and comply with the requirements concerning the furnishing of that information and keeping of records for the purposes of this section. Each report shall state in respect of the year to which the report relates,-

- The number of requests made to each public authority.
- The number of decisions where applicants were not entitled to access to the documents pursuant to the requests.
- The provisions of this Act under which these decisions were made and the number of times such provisions were invoked.
- The number of appeals referred to the Central Information Commission or State Information Commission, as the case may be, for review.
- The nature of the appeals and the outcome of the appeals.
- Particulars of any disciplinary action taken against any officer in respect of the administration of this Act.
- The amount of charges collected by each public authority under this Act.

- Any facts which indicate an effort by the public authorities to administer and implement the spirit and intention of this Act.
- Recommendations for reform, including recommendations in respect of the particular public authorities, for the development, improvement, modernization, reform
- Amendment to this Act and other legislation or common law or any other matter relevant for operationalizing the right to access information.

The Central Government may, as soon as practicable after the end of each year, cause a copy of the report of the Central Information Commission to be laid before each House of Parliament.

It appears to the Central Information Commission that the practice of a public authority in relation to the exercise of its functions under this Act does not conform to the provisions or spirit of this Act. It may give to the authority a recommendation specifying the steps which ought in its opinion to be taken for promoting such conformity.

The preamble of the RTI Act 2005:

The Act is a successor of 'The Freedom of Information Act' and is called the 'Right to Information Act, 2005. The Act has prescribed a definite period for its commencement. It has commenced exactly 120 days from enactment.

It is 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.

It is order to promote transparency and accountability in the working of every public authority. The democracy requires an informed citizen and transparency of information which are vital to its functioning.

1. The Act gives an opportunity to people to demand information as a right from public authorities.
2. The public Authorities become accountable for providing information within a prescribed time period.
3. There are punitive measures built into the Act if the Public authority does not provide information, delays or provides false information.
4. The constitution of an independent commission to oversee and monitor implementation of the Act at the State and Centre ensures.

The Salient Features of Right to Information Act, 2005

The Act shall apply to all Public Authorities, which significance:

- The controlled, substantially financed directly or indirectly by the appropriate Government, and includes non- government organizations, substantially financed by the government.
- The domain of the Act covers the two Houses of Parliament, State Legislatures.
- The Supreme Court, High Court and Subordinate Courts including their administrative offices, Constitutional Authorities like Election Commission, Controller and Auditor General, Union Public Service Commission etc.
- The domestic and foreign private bodies working within the country have been excluded from the purview of the Act.
- Any authority or body or institution of self-government established or constituted by or under the

Constitution; by any law made by the appropriate Government or,

- There are certain categories of information that are exempt from disclosure under Sections 8 and 9 of the Act. For example, information likely to impact on.
- The State security strategic, scientific and economic interests of the State detection and investigation of offences public order and conduct of international relations.
- All Government and its prostated bodies of the Central and State Government.
- Therefore, all state and central government departments like Education Department, Directorate of Health, Zilla Panchayat; offices at district etc. have to comply with the Act.
- All institutions like co-operative societies, schools, colleges, universities and specific projects.
- It are supported by Government grants. Thus, institutions like the Milk Federation, co-operative banks, universities and Government schools fall under the purview of the act.
- The banks and other financial institutions, which are supported by state or central government.
- In fact, initially there was confusion whether RTI was applicable on banks.
- It is subsequently the Reserve Bank of India was instructed by Government of India to enforce RTI on itself and direct other banks to abide by the Act.
- All non-governmental organizations which receive grants from the Government of a minimum of Rs 50000 per annum, are supposed to follow the RTI Act and Cabinet papers.

The Trade and commercial secrets and information, the disclosure of which would cause breach of privilege of Parliament or State Legislature, and personal information, It has no relationship with public activity and could cause unwarranted invasion of privacy of any person, is also exempt from disclosure.

It is exemption information must be compared with the larger public interest at stake. In such cases, the public benefit from disclosure of information is more than the harm caused by the disclosure.

The information must be disclosed. It is Subject to some exceptions. The Act contains a provision for revealing information, which is otherwise exempt from disclosure till completion of 20 years of the event.

- Intelligence and security agencies specified in Schedule II of the Act have been exempted from the purview of the Act.
- The exemption is not absolute and agencies shall have the obligation to provide information in matters relating to efficacy and human rights violation.
- The private players are operating in public domain have a moral responsibility to be accountable and transparent. They are not legally bound to abide by the Act.
- The private companies, which do not get Government grants for operation, are not enforceable by the RTI law.
- The Information that affects national security; therefore, all information whose disclosure will jeopardize national security.
- The information on the character of the individual, where disclosure of such information
- It will jeopardize the dignity of the individual, is prohibited under RTI Act.
- All court proceedings and other proceedings where decisions have not yet been made, as disclosure of such information will influence the final decision/s.

- The information on individual income and expenditure, or bank accounts.
- The private schools, colleges not aided by the central and state Government.
- The voluntary organizations, which receive reimbursement from the Government for undertaking .
- It is particular activity or objective, but who do not receive grants to a minimum of Rs 50000 per annum.

RANKING OF VARIOUS STATES IN EFFICACY IN OUR COUNTRY

The composite ranking of states on swift efficacy is involving common citizen and in the context of eleven public services, Kerala stands out as the least corrupt State in India. Bihar, on the other hand is the most corrupt State.

In fact, on all parameters are in the context of all the eleven services. The Bihar has categorized the most corrupt State in our country.

The Himachal Pradesh is less corrupt- even compared to States like Tamil Nadu, Maharashtra and Gujarat. The Madhya Pradesh, Karnataka, Rajasthan and Assam are indulged with the problem and score high on the index.

Table-
Compare of Different States Efficacy

State	Index	Rank
Kerala	240	1
Himachal Pradesh	301	2
Gujarat	417	3
Andhra Pradesh	421	4
Maharashtra	433	5
Chhattisgarh	445	6
Punjab	459	7
West Bengal	461	8
Orissa	475	9
Uttar Pradesh	491	10
Delhi	496	11
Tamil Nadu	509	12
Haryana	516	13
Jharkhand	520	14
Assam	542	15
Rajasthan	543	16
Karnataka	576	17
Madhya Pradesh	584	18
J & K	655	19
Bihar	695	20

THE MOTIVATOR SEARCHING INFORMATION UNDER RTI ACT

It is Information appeal has proved costly for Tukaram Bansode, a disability activist. He went on a hunger strike for one day. He was jailed for 24 hours and was slapped a fine of Rs 3,000 on the New Year day. It is come to a boil last week when he approached the Disability Commissioner, RK Gaikwad. It is seeing no action was being taken to provide him with the needed information, Bansode went on hunger strike on December

29. It is later some skirmishes with the commissioner on December 31 led him to be arrested for causing public nuisance.

After spending the last day of 2007 in the lock-up, Bansode walked out on Tuesday after paying a fine of Rs 3000. Bansode is back at the commissioner's office and is determined to get the information.

The case study of subverting RTI Act

In a classic case of government authorities is subverting the law. A former woman is Sarpanch in Rajasthan made to run from pillar to post for nearly a decade claiming the money. She has spent on the construction of a 1km long road in her panchayat.

The Sarpanch, Mohini Devi has tried to use the much talked about Right to Information Act to know the status of the outstanding amount of Rs.75,000.

She has compelled to withdraw her application. The former Sarpanch was paid the dues recently after she agreed not to press for appeals under the RTI Act.

The information has provided to her through the Panchayat Secretary incomplete and seemed to conceal the facts. On being confronted, the BDO bluntly has told her that the records old. It was not possible for him to provide the required information.

The PRIA Project Officer Tahreem Siddiqui said here on Thursday that an undeterred Ms. Mohini Devi went for the first appeal under the RTI Act at Zila Parishad, but still could not get to know the status of her dues.

She pursued the matter and complained against the officials, accusing them of dereliction of duty. It is finally, the Jhunjhunu Collector called Ms. Mohini Devi to his office in August 2007.

It is assured her that she would get the refund, but added that she would not get the support. She kept the pressure mounted through the RTI Act.

The Central Information Commission role

The Central Information Commission has pulled up the office of the chief minister of Delhi and National Commission for Women. It is responding to applications for information under the Right to Information Act.

In two separate cases, the public information officers of both the offices have been asked to show cause as to why they should not be penalised for not replying to the applications.

In one case, Ms. Shruti Singh Chauhan had asked for information from the office of the chief minister of Delhi on appointment of information commissioners on February 9, 2007. Ms Chauhan did not get any response.

Therefore, she complained to the commission in March 2007. The commission admitted Ms Chauhan's complaint and has directed the PIO of the office of the chief minister to respond to the request for information within 10 working days.

The commission has informed the complainant that because GNCT Delhi is a Union Territory falling

within the jurisdiction of the Central Information Commission. The GNCT is not competent to constitute an information commission under the RTI Act, 2005. The exonerate is the PIO, CM's office, from his obligation to respond to an RTI application. It is maintained the commission.

The commission has issued a show because notice asking the PIO as to why a penalty of Rs250 per day not exceeding Rs 25,000 should not be imposed on they has under Section 20 of the RTI Act.

In the other case, Ms Tripta Sayal and Ms Sumati Sayal has asked for information from the National Commission of Women under the RTI Act on January 16, 2007. The PIO did not respond.

The Central Information Commission has held that the Government or a public authority. The Right to Information Act has to provide information.

It has on any company, public or private, despite the company's refusal to part with such information.

The Information commissioner M M Ansari said that a public authority cannot take refuge to third party exemption. It is under the RTI Act to deny information merely because the company concerned has not concurred with such disclosure.

The disclosure of information is relating to corrupt practices of public and private sector. It is therefore largely in public interest.

The Central Information Commission has ordered came on an appeal filed by Anil Kumar Sharma of Jabalpur who sought certain information from Registrar of Companies.

It is regarding a company of which he is a shareholder. He has alleged the company had been conducting its business activities in an illegal manner and policy. The requisite information has denied on the grounds that the company concerned.

It did not permit the disclosure of information asked for by the appellant and hence cannot be divulged without express concurrence of the company.

It is Rejecting this argument. The Central Information Commission said that as the matter pertained to alleged efficacy, disclosure of information.

It was largely in the public interest and any exemption under Section 8(1)(d) of the Act-which protects from disclosure, information relating to commercial confidence.

The trade secrets and intellectual property are the disclosure of which would harm the competitive position of a third party- is untenable.

Youth opinion the role in democracy through RTI Act

The youth participated in the National Youth Convention at Beawar on the occasion of Vivekanand Jayanti with the resolve to fight and struggle to reach their goals.

The youth had gathered for the convention voiced the important role the youth can play in strengthening democracy through the use of Right to Information on issues of social importance. The participant has expressed the need for a national forum to take up issues related.

The required for is website, a campaign to ensure that RTI becomes part of the curriculum in schools and colleges. The need to monitor the decisions and orders of the Central and state information commissions were the key issues identified.

It was necessary to work out a strategy to challenge decisions of the information commission. It is violating the letter and spirit of the act and if necessary even approach the courts.

On the National Rural Employment Guarantee Act. It was felt that the youth should mobilise and participate in the gram sabhas in large numbers to ensure that the provisions of the NREGA.

It is preparation of has listed of works, payment of minimum wage. It is issuing of job cards and

carrying out social audit to ensure transparency in NREGA works is implemented. The participant has suggested that an appeal should be made to the government.

The RTI and NREGA has made an essential part of the school and college curriculum to maximize the opportunities provided by both. The legislations is in ensuring the real participation of all citizens in democracy and democratic decision making. The issue has related to dalits, adivashi and nomadic tribes were also taken up.

The discussion has highlighted issues and challenges related to livelihood, atrocities and human rights violations. It has faced by these communities.

It was decided that a campaign be launched to address these challenges and ensure a life of dignity for these communities.

The participant has taken out a candle light march from Chan Gate the historic place where the National Campaign for People's Right to Information. It was formed in 2014 and a decade later the government passed the Right to Information Act.

It is mere allegation of efficacy not backed by credible evidence. It would not be sufficient to direct the country's intelligence organisations to reveal information under the RTI Act. The Central Information Commission has held. The Right to Information is law.

It has categorically immunised certain security and intelligence organisations from disclosure of information is specific that in cases of alleged efficacy or human rights violations.

They could ask to open up. In an apparent safeguard for such bodies has listed in Schedule 2 of the RTI Act. The Central Information Commission has held that if allegations of efficacy. It has made out against. Them credible evidence needs to be adduced in that regard. The allegation of efficacy cannot be lightly made, information commissioner A.N. Tiwari said in a recent order. The order came in respect of an application of Ludhiana resident S.P. Goyal. It had sought from the directorate of revenue intelligence examination of documents pertaining to its investigation of financial fraud against his company.

The directorate of revenue intelligence an economic intelligence organ under the finance ministry has exempted from disclosure of information, Mr. Goyal cast doubts on directorate of revenue intelligence probe against his company since 2010

It is seeking that the information be granted to him for reasons of a pervasive efficacy in the conduct of the investigating officers.

It is contesting the allegations, the directorate of revenue intelligence said Mr Goyal, who was at the receiving end of the probe. It is raised the efficacy charges to distract its investigative action.

The IT has refuted Mr Goyal's plea that in 2001 an inquiry was also done to look into allegations of irregularities against one of its investigating teams and said such an inquiry showed the allegations as baseless.

The popular government is without popular information or the means of acquiring. It is but a prologue to a farce or a tragedy or perhaps both.

The knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves. The power knowledge has given. James Madison, letter to W.T. Barry, 4 August 1922.

The Madison's statement is as fresh and valid today as. It was almost 200 years ago. The information is an emerging phenomenon across the world today.

The Madison has observed knowledge is power and those who possess it have the power to rule. The

Right to Information Act is empowering citizens with the ability to get the services to which they're entitled and to hold officials accountable.

The Citizens Access to Information is a vital step in ensuring transparency and accountability in government systems and processes. The transparent government has implied less efficacy and accountability.

The Freedom of Information Act is becoming the international norm vis-à-vis governance.

The Right to Information generally understood as the right to access information held by public authorities. It is not just a necessity of the citizen.

It is a precondition for good governance. The Right to Information Act makes democracy more meaningful and allows citizens to participate in the governance process. In particular has empowered ordinary citizens, especially those in rural areas.

The people have Right to Information Act. They naturally tend to form informed opinions, influence policies affecting them and even help shape a more assured future for themselves and the next generation.

In India, Right to Information Act was introduced in 2005 and since then this law has proved to be a boon in the hands of people.