



## **Empowering through the RTI**

By

**Dr. Jayshree A. Airekar.**

Principal, Dr. M. A. Khan College of Education, Manchar.

### **Abstract**

*Freedom of Information, a phrase coined in the United States, is a very different notion from the freedom of speech, freedom of press or freedom of expression. It empowers the common man to obtain information in possession of the State. The Right to Information Act, 2005 is a very powerful tool, given in the hands of Indian citizens. It provides them a chance to transform the way the government and its officials function. Asking the government for information, one asks for the government to be transparent and accountable to its citizens.*

**Key Word:** - RTI, Empowering Citizens, Right to Freedom, Accountability, Transparency.

### **Introduction**

The right to information is implicitly guaranteed by the Constitution. However, with a view to set out a practical regime for securing information, the Indian Parliament enacted the Right to Information Act, 2005 and thus gave a powerful tool to the citizens to get information from the Government as a matter of right. This law is very comprehensive and covers almost all matters of governance and has the widest possible reach, being applicable to Government at all levels- Union, State and Local as well as recipients of government grants.

**Objective :** The objectives of present study were

1. To study a background of RTI
2. To study the information of RTI act 2005

### **What is Information**

Information is any material in any form. It includes records, documents, memos-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public authority under any law for the time being in force, including on files [Sec2 (f)].

### **Background of the RTI:**

The Right to Information Act, 2005 (22 of 2005) has come into force on the 12th October, 2005. This Act provides the right to 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. Under this Act, information means any material in any form, including records, documents, memos, e-mails, opinions, advices, press release, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force. The right to access of information under this Act includes the right to:-

- i. inspection of work, documents, records;
- ii. Taking notes extracts or certified copies of documents or records;
- iii. Taking certified samples of material;
- iv. Obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is Stored in a computer or in any other device.

### **Objectives of the Right to Information Act**

- 1) Openness
- 2) The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government,

contain corruption, and make our democracy work for the people in real sense.

- 3) It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed.
- 4) The Act is a big step towards making the citizens informed about the activities of the Government.

### **The Right to Information Act, 2005.**

- 1) A Landmark historical legislation social revolution in transaction.
- 2) Recognized as a part of the fundamental 'Right to Freedom' by SC
- 3) People's apathy makes public authorities corrupt and unaccountable.
- 4) The RTI is a powerful weapon against graft and corruption.
- 5) It is due to the RTI many scandals have come into public domain
- 6) We should learn to question corrupt practices of public functionaries and use the RTI against those authorities whom we deal with to get just and fair treatment and timely action on matters relating to us.
- 7) The RTI is the best instrument to secure justice without litigation.

### **What is a Public Authority**

A "public authority" is any authority or body or institution of self government established or constituted by or under the Constitution; or by any other law made by the Parliament or a State Legislature; or by notification issued or order made by the Central Government or a State Government. The bodies owned, controlled or substantially financed by the Central Government or a State Government and non-Government organisations substantially financed by the Central Government or a State Government also fall within the definition of public authority. The financing of the body or the NGO by the Government may be direct or indirect.

### **Every Public Authority is required to have:-**

- 1) Public authorities have designated some of its officers as Public Information

Officer. They are responsible to give information to a person who seeks information under the RTI Act.

- 2) These are the officers at sub-divisional level to whom a person can give his RTI application or appeal. These officers send the application or appeal to the Public Information Officer of the public authority or the concerned appellate authority. An Assistant Public Information Officer is not responsible to supply the information.

### **Obligations of Public Authorities:**

- 1) Every public authority to maintain all its records duly catalogued and indexed, publish a manual giving information relating to some 17 items and update the Manual every year [Sec4 (1)]
- 2) It shall be a constant Endeavour of every public authority to take steps.....to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information. [Sec4(2)]

### **Scope:**

All public authorities of State and Central Government including organization, institutions funded by the Government partly and fully. These include all State and Central Government authorities-their administrative offices,Police,CBI,Intelligence Agencies, Municipal Bodies, Local Self-Governing Bodies,Panchayat Raj Institutions,Universities,Educational Trust, Aided & Unaided Educational Institutions,AICTE,UGC ,NAAC,NET/SET Machinery,Railways,MTNL,BSNL, Nationalized Banks, Co-operative Housing Societies,Courts,NGOs which receive state funding and practically every organization dealing with a public authority directly or indirectly.

### **Procedure for obtaining information:**

- 1) Information can be obtained by making a request in writing or online in Hindi or English of in the regional language of the state.

- 2) An application should be made in the prescribed form accompanied by a fee of Rs.10/- or Court Fee Stamp of Rs. 10/-
- 3) The application to be made to the PIO.
- 4) The PIO is required to furnish the information within 30 days and within 48 hours in case of life and liberty of a person.

**References :**

1. <http://rti.gov.in/>
2. <http://rti.gov.in/webactrti.htm>
3. [http://en.wikipedia.org/wiki/Right\\_to\\_Information\\_Act](http://en.wikipedia.org/wiki/Right_to_Information_Act)
4. [www.oneforindia.org/ourwork/anticorruption/rtisunderbans/index.htm](http://www.oneforindia.org/ourwork/anticorruption/rtisunderbans/index.htm)

