

**LAW AREA NAME : GENERAL**  
**SECTION NAME : LAW AND THE CITIZEN**  
**SUB SECTION NAME : RIGHT TO INFORMATION**

## **LAW IN BRIEF**

Every citizen has a right to information in democracy. Such a right ensures transparency and accountability in the working of every public authority and also helps to contain corruption. Hence, the Right to Information Act, 2005 seeks to secure access to the citizens, information under the control of public authorities.

## **LAW IN DETAIL**

“Right to information” means the right to information held by or under the control of any public authority and 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 print outs where such information is stored in a computer or in any other device;

Every officer who refuses the application for information without reasonable cause or has not furnished information within the specified time or knowingly gives incorrect, incomplete or misleading information shall be imposed a penalty of Rs. 250/- each day up to a maximum of Rs. 25,000/- till the application is received or information is furnished.

## **PROCESS FOR SOLUTION**

### **Complaint Under which Section ?**

An application requesting for information is made under section 6 of the Act.

### **Whom to complain / where to complain?**

The application must be made to :

- a. The Central Public Information Officer or State Public Information Officer, as the case may be, of the concerned public authority.
- b. The Central Assistant Public Information Officer or State Assistant Public Information Officer; as the case may be.

## How to file the Case ?

Any person who wants to obtain any information under this Act, can make a request in writing or through electronic means either in English, Hindi or in Telugu along with the fee prescribed by the government and along with the specific particulars. People below poverty line will not be charged.

No reason for requesting the information need to be given by the person requesting it.

The concerned officer to whom the request for information has been made must provide the information within a maximum period of 30 days from the date of receipt of the request.

Where the information concerns the life or liberty of a person, it shall be provided within 48 hours of the receipt of the request.

### **Information that cannot be disclosed:**

- Information which will affect the sovereignty and integrity of India, the security, scientific or economic interests of the State, relations with foreign State or that which may lead to incitement of an offence;
- Information expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;
- If its disclosure will cause a breach of privilege of Parliament or State Legislature.
- Trade secrets, commercial confidence or intellectual property
- Information available to a person in his fiduciary relationship
- Information received in confidence from foreign Government
- Disclosure of information which would endanger the life or physical safety of any person
- Information which would obstruct or slow down the process of investigation or prosecution of offenders;
- Cabinet papers, records of deliberations of the Council of Ministers, Secretaries and other officers
- Information which relates to personal information and has no relationship to any public activity or interest
- Request for information may be rejected if it involves an infringement of copyright subsisting in a person other than the State.

However, in any case, the concerned Public information officer may disclose the information requested for, if he is satisfied that such disclosure is in the larger public interest.

## What Next ?

If one does not receive information requested for within the prescribed time or is aggrieved by the decision of the concerned officer, he may appeal to a senior officer within 30 days.

A second appeal, within 90 days lies with the Central Information Commission or the State Information Commission.