

THE
RIGHT TO INFORMATION ACT, 2005
(ACT No. 22 OF 2005)

सूचना का अधिकार अधिनियम, 2005
(2005 का अधिनियम संख्यांक 22)

[Enactment Date: 15th June, 2005]

DIGLOT EDITION
द्विभाषी संस्करण

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Preface

Hello & नमस्कार,

LINKING BARE ACTS are not merely Bare Act of the Text approved by Legislature rather it envisage my personal Experience as Judiciary Exam Educator of more than a decade wherein I found the style of Inter Section Linking, Inter Chapter Linking and Inter Acts Linking so effective that the reader can gain comprehensive command over any particular topic or concept with help of it. Further, such things also help in easy mediation while making revision.

"जो याद (memorize) नहीं होता उसे, उससे याद करो जो याद हो चुका है" - this technique is output of Linking style.

Presently, Law Exam specially concentrate to check command of student over Legislative Text (i.e. Bare Act), accordingly they asked questions which directly or indirectly Linked with Bare Act only. While teaching various laws, I found that Linking techniques is easy for student to learn multiple sections together, so I have included such technique in LINKING BARE ACTS.

This Linking Bare Act of **RIGHT TO INFORMATION ACT, 2005** also includes the comprehension of the various amendments so far made by parliament will certainly a big challenge for readers to comprehend and also smart table as to various form used in civil procedure in addition to the other regular features of any Linking Bare Acts, so I have provided various comparative table also which will help to understand the changes easily in new laws. it's my firm belief, these LINKING BARE ACT will certainly change the way of reading Bare Act. Further, spacious margin, Bracket Method of Proviso and Explanation etc will make the study more convenient.

- Tansukh Paliwal

Founder of Linking Laws

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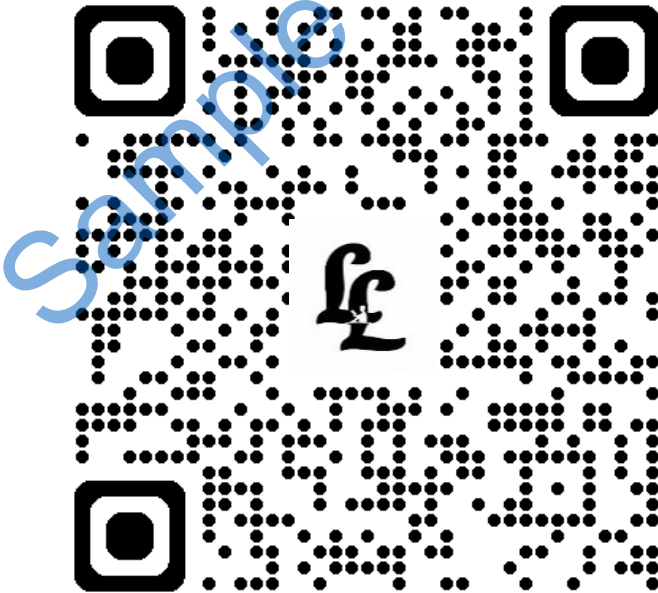
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Legal Disclaimer

All efforts have been made to avoid any kind of typing or other kind of error or omission, though It is humbly requested to all readers that in case of doubt kindly prefer official text of the legislation as passed by Parliament. By **Scanning following QR code** You may have official text of parliament regarding *RIGHT TO INFORMATION ACT, 2005*:-

किसी भी प्रकार की टाइपिंग या अन्य प्रकार की त्रुटि या चूक से बचने के लिए सभी प्रयास किए गए हैं, हालांकि सभी पाठकों से विनम्र अनुरोध है कि संदेह की स्थिति में कृपया संसद द्वारा पारित विधि के आधिकारिक शब्दों को प्राथमिकता दें। **निम्न प्रस्तुत क्यूआर कोड को स्कैन करके** आप सूचना का अधिकार अधिनियम, 2005 संबंध में संसद का आधिकारिक पाठ प्राप्त कर सकते हैं:-

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THE RIGHT TO INFORMATION ACT, 2005
ACT 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;

AND WHEREAS it is necessary to harmonise these conflicting interests while preserving the paramountcy of the democratic ideal:

Now, THEREFORE, it is expedient to provide for furnishing certain information to citizens who desire to have it.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:-

सूचना का अधिकार अधिनियम, 2005
(2005 का अधिनियम संख्यांक 22)

[15 जून, 2005]

प्रत्येक लोक प्राधिकारी के कार्यकरण में पारदर्शिता और उत्तरदायित्व के संवर्धन के लिए, लोक प्राधिकारियों के नियंत्रणाधीन सूचना तक पहुंच सुनिश्चित करने के लिए नागरिकों के सूचना के अधिकार की व्यावहारिक शासन प्रणालि स्थापित करने, एक केन्द्रीय सूचना आयोग तथा राज्य सूचना आयोग का गठन करने और उनसे संबंधित या उनके आनुषंगिक विषयों का उपबंध करने के लिए अधिनियम

भारत के संविधान ने लोकतन्त्रात्मक गणराज्य की स्थापना की है;

और लोकतन्त्र शिक्षित नागरिक वर्ग तथा ऐसी सूचना की पारदर्शिता की अपेक्षा करता है, जो उसके कार्यकरण तथा भ्रष्टाचार को रोकने के लिए भी और सरकारों तथा उनके परिकरणों को शासन के प्रति उत्तरदायी बनाने के लिए अनिवार्य है ;

और वास्तविक व्यवहार में सूचना के प्रकटन से संभवतः अन्य लोक हितों, जिनके अंतर्गत सरकारों के दक्ष प्रचालन, सीमित राज्य वित्तीय संसाधनों के अधिकतम उपयोग और संवेदनशील सूचना की गोपनीयता को बनाए रखना भी है, के साथ विरोध हो सकता है ;

और लोकतन्त्रात्मक आदर्श की प्रभुता को बनाए रखते हुए इन विरोधी हितों के बीच सामंजस्य बनाना आवश्यक है;

अतः, अब यह समीचीन है कि ऐसे नागरिकों को, कतिपय सूचना देने के लिए, जो उसे पाने के इच्छुक हैं, उपबंध किया जाए ;

भारत गणराज्य के छप्पनवें वर्ष में संसद द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

**CHAPTER I
PRELIMINARY**

1. Short title, extent and commencement.

- (1) This Act may be called the Right to Information Act, 2005.
- (2) It extends to the whole of India ¹[***].
- (3) The provisions of sub-section (1) of section 4, sub-sections (1) and (2) of section 5, sections 12, 13, 15, 16, 24, 27 and 28 shall come into force at once, and the remaining provisions of this Act shall come into force on the one hundred and twentieth day of its enactment.

2. Definitions.

In this Act, unless the context otherwise requires, -

- (a) **"appropriate Government"** means in relation to a public authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly-
 - (i) by the Central Government or the Union territory administration, the Central Government;
 - (ii) by the State Government, the State Government;
- (b) **"Central Information Commission"** means the Central Information Commission constituted under sub-section (1) of section 12;
- (c) **"Central Public Information Officer"** means the Central Public Information Officer designated under sub-section (1) and includes a Central Assistant Public Information Officer designated as such under sub-section (2) of section 5;
- (d) **"Chief Information Commissioner"** and **"Information Commissioner"** mean the Chief Information Commissioner and Information Commissioner appointed under sub-section (3) of section. 12:
- (e) **"competent authority"** means—
 - (i) the Speaker in the case of the House of the People or the Legislative Assembly of a State or a Union territory having such Assembly and the Chairman in the case of the Council of States or Legislative Council of a State;
 - (ii) the Chief Justice of India in the case of the Supreme Court;
 - (iii) the Chief Justice of the High Court in the case of a High Court;
 - (iv) the President or the Governor, as the case may be, in the case of other authorities established or constituted by or under the Constitution;
 - (v) the administrator appointed under article 239 of the Constitution;
- (f) **"information"** means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, 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;
- (g) **"prescribed"** means prescribed by rules made under this Act by the appropriate Government or the competent authority, as the case may be;

1 The words "except the State of Jammu and Kashmir" omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019).

अध्याय 1

प्रारम्भिक

1. संक्षिप्त नाम, विस्तार और प्रारंभ

- (1) इस अधिनियम का संक्षिप्त नाम सूचना का अधिकार अधिनियम, 2005 है।
- (2) इसका विस्तार ¹[***] सम्पूर्ण भारत पर है।
- (3) धारा 4 की उपधारा (1), धारा 5 की उपधारा (1) और उपधारा (2), धारा 12, धारा 13, धारा 15, धारा 16, धारा 24, धारा 27 और धारा 28 के उपबंध तुरंत प्रभावी होंगे और इस अधिनियम के शेष उपबंध इसके अधिनियमन के एक सौ बीसवें दिन को प्रवृत्त होंगे।

2. परिभाषाएं

इस अधिनियम में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,-

- (क) **"समुचित सरकार"** से किसी ऐसे लोक प्राधिकरण के संबंध में जो
 - (i) केन्द्रीय सरकार या संघ राज्यक्षेत्र प्रशासन द्वारा स्थापित, गठित, उसके स्वामित्वाधीन, नियंत्रणाधीन या उसके द्वारा प्रत्यक्ष रूप से या अप्रत्यक्ष रूप से उपलब्ध कराई गई निधियों द्वारा सारभूत रूप से वित्तपोषित किया जाता है, केन्द्रीय सरकार अभिप्रेत है;
 - (ii) राज्य सरकार द्वारा स्थापित गठित उसके स्वामित्वाधीन, नियंत्रणाधीन या उसके द्वारा प्रत्यक्ष रूप से या अप्रत्यक्ष रूप से उपलब्ध कराई गई निधियों द्वारा सारभूत रूप से वित्तपोषित किया जाता है, राज्य सरकार अभिप्रेत है;
- (ख) **"केन्द्रीय सूचना आयोग"** से धारा 12 की उपधारा (1) के अधीन गठित केन्द्रीय सूचना आयोग अभिप्रेत है;
- (ग) **"केन्द्रीय लोक सूचना अधिकारी"** से उपधारा (1) के अधीन पदाभिहित केन्द्रीय लोक सूचना 'अधिकारी' अभिप्रेत है और इसके अंतर्गत धारा 5 की उपधारा (2) के अधीन इस प्रकार पदाभिहित कोई केन्द्रीय सहायक लोक सूचना अधिकारी भी है;
- (घ) **"मुख्य सूचना आयुक्त"** और **"सूचना आयुक्त"** से धारा 12 की उपधारा (3) के अधीन नियुक्त मुख्य सूचना आयुक्त और सूचना आयुक्त अभिप्रेत हैं;
- (ङ) **"सक्षम प्राधिकारी"** से अभिप्रेत है-
 - (i) लोक सभा या किसी राज्य की विधान सभा की या किसी ऐसे संघ राज्यक्षेत्र की, जिसमें ऐसी सभा है, दशा में अध्यक्ष और राज्य सभा या किसी राज्य की विधान परिषद् की दशा में सभापति;
 - (ii) उच्चतम न्यायालय की दशा में भारत का मुख्य न्यायमूर्ति;
 - (iii) किसी उच्च न्यायालय की दशा में उच्च न्यायालय का मुख्य न्यायमूर्ति;
 - (iv) संविधान द्वारा या उसके अधीन स्थापित या गठित अन्य प्राधिकरणों की दशा में, यथास्थिति, राष्ट्रपति या राज्यपाल;
 - (v) संविधान के अनुच्छेद 239 के अधीन नियुक्त प्रशासक;
- (च) **"सूचना"** से किसी इलैक्ट्रॉनिक रूप में धारित अभिलेख, दस्तावेज, ज्ञापन, ई-मेल मत, सलाह, प्रेस विज्ञप्ति, परिपत्र, आदेश, लागबुक, संविदा, रिपोर्ट, कागजपत्र, नमूने, माडल, आंकड़ों संबंधी सामग्री और किसी प्राइवेट निकाय से संबंधित ऐसी सूचना सहित जिस तक तत्समय प्रवृत्त किसी अन्य विधि के अधीन किसी लोक प्राधिकारी की पहुंच हो सकती है, किसी रूप में कोई सामग्री अभिप्रेत है;

1 The words "except the State of Jammu and Kashmir" omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019).

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THE RIGHT TO INFORMATION ACT, 2005

FAQs

1. What is “right to information”?

Ans. “Right to information” means the right to information accessible under the Act which is 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 printouts where such information is stored in a computer or in any other device.

2. What type of information may be obtained under the RTI Act?

Ans. The type of information which may be obtained is defined under section 2 (f) of the Act as any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, log books, 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.

3. Who can seek information under the Right to Information Act, 2005?

Ans. As per section 3 of the RTI Act any Indian citizen can seek information under the Act.

4. In which language a request may be made for seeking information?

Ans. As per section 6 (1) of the RTI Act, a request may be made in English or Hindi or in the official language of the area in which the application is made.

5. How is an application for seeking information to be made?

Ans. As per section 6 (1) of the RTI Act a request may be made in writing to the Central Public Information Officer (CPIO) of this Commission. It may also be filed online at <https://rtionline.gov.in>.

6. Are there any public authorities exempt from providing information?

Ans. Yes, intelligence and security organizations specified in the Second Schedule to the Act are exempt from furnishing information under the Act. However, this exemption does not apply if the requested information pertains to the allegations of corruption and human rights violations.

7. To whom the application is to be addressed if information pertaining to the Commission as a public authority is sought?

Ans. If the information is sought relating to this Commission, the application may be addressed to the Central Public Information Officer of this Commission in Ground Floor, CIC Bahwan, Baba Gangnath Marg, Munirka, New Delhi-110067.

8. Can a complaint be filed directly before this Commission? If yes, the grounds on which a complaint may be filed?

Ans. Yes, a complaint may be filed directly in this Commission under section 18 of the RTI Act, by a person:-



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New Criminal Major Laws
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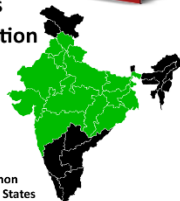
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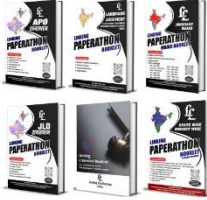
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