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CAIIB PAPER-4

Module-D Unit-25

BANKING REGULATIONS AND BUSINESS LAWS (BRBL)



CAIIB Paper 4 (BRBL) Module D Unit 25- The Right To Information Act, 2005

Introduction

- The Right to Information Act, 2005 was enacted with intent 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 Act aims at containing corruption and holding the Governments and their instrumentalities accountable to the governed by providing access to information. The Act also creates a machinery for ensuring effective implementation of the Act.

Applicability

- In terms of amendment made to the Act with effect from 31-10-2019, It extends to the whole of India.
- All public sector banks and other institutions owned and controlled by the Government are public authorities and are also required to comply with the provisions of the Act.
- As per the Act, the public authority has to publish certain particulars about its organization which are
 - Particulars of its organization, functions and duties, powers of its officers and employees
 - Procedure followed in the decision making process, including channels of supervision and accountability
 - Norms set by it for the discharge of its functions
 - Rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions etc.
- RTI provides for exemption from disclosure of information including commercial confidence trade secrets, the disclosure of which would harm the competitive position of a third party unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.
- The Act exempts disclosure of personal information which has no relation to any public activity or interest or which would cause unwarranted invasion of the privacy of the individual.

Definitions

- **‘Central Information Commission’** (Section 2b) means the Central Information Commission constituted by the Central Government.
- **‘Central Public Information Officer’** (Section 2c) means the Central Public Information Officer designated by the public authority and includes a Central Assistant Public Information Officer.

- **'Information'** (Section 2 f) 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 law for the time being in force.

'Public authority' (Section 2h) means any authority or body or institution of self-Government established:

- by or under the Constitution
- by any other law made by Parliament
- by any other law made by the State Legislature
- by notification issued or order made by the appropriate Government

'Right to information' (Section 2 j) has been defined in an inclusive manner. It means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to:

- Inspection of work, documents, records
- Taking notes, extracts or certified copies of documents or records
- Taking certified samples of material
- 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 computers or in other device.

'State Information Commission' (Section 2k) means the State Information Commission constituted by the State Government under this Act.

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