

## THE RIGHT TO INFORMATION ACT WILL BE A HELP

The days of bureaucrats and other government servants refusing to part with information is coming to an end. Henceforth, public authorities are to give information to the public, as part of their duties. Or else they will have to pay a penalty which will not be met by the exchequer but recovered from the salary of the concerned who refused to give information. These are some of the highlights of the Karnataka Right to Information Bill, 2000.

Almost three decades ago, Karnataka was the first state to make an attempt to bring in legislation to provide the public the right to information. However it was aborted. Unlike the Central Bill which merely gives freedom of information, the Karnataka Bill gives every citizen of the state a Right to Information. The Act covers all the offices of the State Government, local authorities, trust, cooperative societies and any organization funded and owned by the state government. Armed with this Act, society in general and the consumer groups in particular can play a major role in disseminating information, bring the guilty to book and empower the citizens. It can also make public institutions function on democratic lines.

Consumer organizations have a duty to make an independent study of the working of public bodies like Dairies, Janatha Bazaars, Food Testing Laboratory, Drugs Laboratory, Food and Civil Supplies Corporation, etc., since they have a direct impact on consumer welfare. Information relating to these bodies remains inaccessible though the reports of the Comptroller and Auditor General are published. The Right to Information Act will help consumer groups in getting the required information.

A number of house-building cooperative societies are mired in controversies and corners of public money is misused or misappropriated. Members (consumers) have no access to information and the irregularities and mismanagement remains secret. The earlier draft of the Bill excluded religious institutions from the purview of the Act. Fortunately, the final draft has no such exclusion. Given the fact that almost all educational institutions in Karnataka are run by religious bodies, where donations are rampant, public has a right to information about these institutions.

When the Act comes into effect, every citizen of the state can apply to the concerned authority seeking information, along with the prescribed fee. The required information will be furnished within 30 days. The authority will either give the information sought or intimate the refusal with reasons for such refusal. The citizen will also be informed as to whom to approach for the required information.

However, the Act is not without loopholes. For instance, when a person submits an application seeking information, there is no provision for the official to acknowledge the receipt of request. Like a mediclaim policy which excludes more diseases than it covers, the Information Bill also excludes certain subjects where information will not be provided. The information relating to High Court, tribunal

and other organizations which have a status of courts and whose proceedings are deemed to be judicial proceedings cannot be obtained.

The consumer disputes redressal forums and commission are quasi-judicial bodies having a status of courts. So any consumer group which likes to study the working of the consumer forum can be denied information. This will hamper the progress of the consumer movement. There is nothing wrong in the public knowing about the number of complaints filed, disposed off and pending on a particular date.

The Act prohibits supply of information which is too general in nature and is not required to be collected by public authority. Secondly if any information is published as required by any law or rules and regulations the same will not be provided. Perhaps these two provisions may be misused by the government officials and deny information to the public for the simple reason that almost all government information is published in the gazette. This needs to be checked while framing the rules.

