

RESEARCH PAPER ON

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**POWERS UNDER RIGHT TO INFORMATION ACT,  
2015 AND HOW IT IS USED BY CENTRAL  
INFORMATION COMMISSION**

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## **INTRODUCTION**

A true democracy cannot exist unless all the citizens of the country participate in its polity. The participation of citizens is meaningless unless the citizens are well informed about the issues on which they express their views. One-sided information, disinformation, misinformation, no information all equally create an uninformed citizenry.<sup>1</sup> Information is essential to resolve many issues, decision making, and increasing knowledge in different areas. It has indispensable function in the growth of societies in any nation.<sup>2</sup> Access to information not only promotes openness, transparency and accountability in administration, but also facilitates active participation of people in democratic governance process.<sup>3</sup>

The enactment of the Right to Information Act, 2005 (RTI Act) is a historic event in the annals of democracy in India. Information is power and now a citizen has the right to access information "held by or under control of" the public authorities. Concurrently, it is the duty of all public authorities to provide information sought by citizens.

The Act mandates a legal-institutional framework for setting out the practical regime of right to information for every citizen to secure access to information under the control of public authorities. It prescribes mandatory disclosure of certain information to citizens. It also mandates the constitution of a Central Information Commission (CIC) and State Information Commissions (SICs) to inquire into complaints, hear second appeals, and guide implementation of the Act.<sup>4</sup>

The roles of CIC in implementation of RTI act could be helping those individuals who have not been able to submit their RTI applications to Central Public Information Officer or State Public Information Officer, blocking the escape route which the government authorities used to hide behind exemption clauses of RTI without explaining the basis for invoking the exemption, promoting transparency and accountability in government functioning with various awareness programs, putting an end to misuse of Section 8 of the RTI Act by the Government Authorities and implementation of Section 18 of RTI Act. The aim of the

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<sup>1</sup> Sanjay Parikh, Taking Human Rights Forward People's Union for Civil Liberties (PUCL) Judgements, Vani Prakashan, New Delhi, 1st Edition 2017.

<sup>2</sup> Awareness of Right to Information, <https://www.civilserviceindia.com/current-affairs/articles/awareness-of-right-to-information.html>, Accessed on 02.07.2019.

<sup>3</sup> Dr. C Paramasivan, Awareness of Right to Education among the college students of Periyar E.V.R. College, Tiruchirappalli, International Journal of Management and Commerce Innovations, Vol. 3, 2016.

<sup>4</sup> Available at <http://www.cbic.gov.in/resources/htdocs-cbec/info-act/cic-decisions-exemptns.pdf;jsessionid=56B5565C79782AA9D16F4678831FC3EF>, accessed on 22.07.2019

research paper is to explain about the importance of CIC in bringing transparency and eradicate corruption from the government department.

## **1. CENTRAL INFORMATION COMMISSION**

The Central Information Commission was established in 2005 by the Government of India under the provisions of the Right to Information Act (2005). The Central Information Commission plays an important role in maintaining transparency in the system of the governance which is essential in the democracy. Such kind of transparency is necessary to check corruption, nepotism, oppression and misuse or abuse of the authority.<sup>5</sup>

Section- 2 (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.<sup>6</sup>

The Central Information Commission has been constituted with impact from 12-10-2005 under the Right to Information Act, 2005. The jurisdiction of the Commission stretches out finished all Central Public Authorities. The Commission has certain forces and capacities specified in areas 18, 19, 20 and 25 of the RTI Act, 2005. These extensively identify with arbitration in second interest for giving data; heading for record keeping, suo motu revelations accepting and enquiring into a protest on powerlessness to document RTI etc; imposition of punishments and Monitoring and Reporting including arrangement of an Annual Report. The choices of the Commission are last and authoritative.

### **1.1. CONSTITUTION OF CENTRAL INFORMATION COMMISSION**

The Central Information Commission shall consist of Chief Information Commissioner and such other Information Commissioners not exceeding ten in number<sup>7</sup> The Commissioners to be appointed shall be persons of eminence in diverse fields such as law, science and technology, social service or management, mass media and administration and governance.<sup>8</sup> These items of professional eminence almost cover all fields of human activities. Yet, it is possible that the one who is eminent in fields other than those specified may not be entitled to be considered for appointment as Information Commissioner.

For e.g. the person who is eminent in the art of painting or music only may not be considered for appointment. In substance, what all the above qualifications seem to state is that the person to be appointed as Chief Information Commissioner or Information Commissioner shall be an administrator. And this appointment can't be granted as a gift to any politician.

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<sup>5</sup> Hemant Singh, *Central Information Commission: Powers and Functions*, 2019.

<sup>6</sup> Section 2(c), RTI Act, 2005.

<sup>7</sup> Section 12(2) of RTI Act, 2005.

<sup>8</sup> Section 12(5) of RTI Act, 2005

That is why; it is specifically provided that the person to be appointed shall not be connected with any political party<sup>9</sup>. It means that the social service referred to above does not include political work. The office of the Central Information Commission shall be at Delhi and the Central Information Commission may with the previous approval of the Central Government establish its offices in any other place in India<sup>10</sup>.

#### 1.2. TERM OF OFFICE AND CONDITION OF SERVICE

The term of office of the Chief Information Commissioner and the Information Commissioner shall be five years or up to the completion of 65 years. The term of Chief Information Commissioner shall not be extended, even where he has not completed the age of 65.<sup>11</sup> If the Information Commissioner is appointed as Chief Information Commissioner then also the five years term, ends when he completes 5 years of office reckoned from his first appointment as Information Commissioner.

The salary and allowances payable to Chief Information Commissioner shall be at par with that of Chief Election Commissioner and the salary and allowances payable to the Information Commissioner shall be at par with that of the Election Commissioner, subject of course to the general rules as regards the payment of salaries and allowances when the concerned officers are reappointed earning salaries, allowances and pensions. The salaries and allowances payable to them shall not be varied to their disadvantage after they are appointed and continuing in service.<sup>12</sup> The Central Government shall make all necessary arrangements for the office of the Central Information Commission and for the staff appointed therein.<sup>13</sup>

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<sup>9</sup>[https://shodhganga.inflibnet.ac.in/bitstream/10603/89622/10/10\\_chapter%206.pdf](https://shodhganga.inflibnet.ac.in/bitstream/10603/89622/10/10_chapter%206.pdf), accessed on 17.07.2019.

<sup>10</sup> Section 12(7) of RTI Act, 2005.

<sup>11</sup> Section 13(1) of RTI Act, 2005.

<sup>12</sup> Section 13(5) of RTI Act, 2005.

<sup>13</sup> Section 13(6) of RTI Act, 2005

## **2. POWERS AND FUNCTIONS OF CIC**

For the successful implementation of the RTI Act, it is very important that due care should be taken to maintain the integrity, autonomy and independence of the Information Commissions and that they are provided adequate powers. To understand the working of the Information Commissions in the real sense, there is a need to analyze the powers enjoyed by these Commissions under the RTI Act and their exercise while discharging their duties. Specifically, Information Commissions are responsible for:

- (i) Handling Complaints and Appeals;
- (ii) Monitoring Implementation; and
- (iii) Promoting the Act.

### **2.1. POWER TO RECEIVE COMPLAINTS**

The Central Information Commission or State Information Commissions cannot receive applications for information directly from the citizens. Application for any information shall be filed before the Public Information Officer or the Assistant Public Information Officer. It is only when the citizen finds that there is any deficiency of service or refusal on the part of the latter to render the service that the applicant can file a complaint before the Information Commission. Petitions can be filed before the Information Commissions in two ways, one as a complaint and another by way of an appeal. Complaints are filed under section 18 and appeals under section 19(3) of the Act respectively.

Section 18 of the Act provides that the complaint can be filed by any person who has been unable to send a request to the Public Information Officer. This inability may be by the reason of:

- (i) Non-Appointment of Public Information Officers:

A Public Information Officer has to be appointed by every public authority. As per Section 5(1) of the RTI Act, every public authority has to designate as many officers as may be necessary so as to provide information to the persons requesting for information under the Act. As per Section 5(2), it is mandatory for each public authority to designate an officer at each sub-divisional or at other sub-district level as the Central Assistant Public Information

Officer or a State Assistant Public Information Officer. Although, it is mandatory to designate such Public Information Officer within one hundred days of the enactment of the RTI Act, but there are many public authorities which have not designated Public Information Officer within the prescribed time-frame.

No penalty has been prescribed for such a lapse. For this lapse, a lot of inconvenience has to be suffered by the information seekers. In order to save them from this harassment, they have been given another alternative, that is, to apply to the Information Commission. However, the complaint procedure does not relieve the public authorities from their duties. While deciding the complaint cases, the Central Information Commission or the State Information Commission, under section 19(a), has the power to require the public authority to appoint the Public Information Officer (PIO) or the Assistant Public Information Officer (APIO) where none exists. This power to the Information Commissions to order the public authorities to appoint PIOs can help in the effective implementation of the Act.

(ii) Refusal to Accept Application:

If the Central Assistant Public Information Officer or the State Assistant Public Information Officer, as the case may be, has refused to accept the application for information for forwarding the same to the Public Information Officer, one can approach the Commissions concerned. Therefore, the stress of this provision of the RTI Act is that the Public Information Officer should not refuse to accept the application. A Public Information Officer cannot refuse even if multiple Public Information Officers are appointed by the same public authority.

There is no scope either to ask the information seeker to approach another Public Information Officer within the same public authority. It has been held by the Central Information Commission that 'if Public Information Officer receives the request regarding the information which lies in the domain of any other public authority even then the Public Information Officer can, instead of returning the application, transfer the request to that public authority for furnishing the information to the applicant directly'.<sup>14</sup> It shall be the duty of the public authority to which such application is made, to transfer that application or part of it to that public authority as soon as practical and in no case later than five days from the

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<sup>14</sup> ICPB / C1 / CIC / 2006 dated 6 March 2006.



date of receipt of that application and the information of such transfer should be given to the information seeker.<sup>15</sup>

Public Information Officer may later on refuse to give the information if reasonable grounds to do so exist. It has also been provided under the Act that the Central Public Information Officer can take the assistance of any other officer from his department in order to exercise his duties effectively. The Central Information Commission has also held that where the request is received by one Public Information Officer but the information is with another Public Information Officer then the Public Information Officer who had received the request is under the obligation to seek information from his colleague and provide it to the information seeker.

His colleague who has to provide the information would become the deemed Public Information Officer and shall be expected to provide the Public Information Officer, who received the original request, the required information.

(iii) Refusal to Accept Appeal:

If the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case maybe, has refused to accept an appeal of the information seeker under this Act for forwarding the same to the senior officer specified in the sub section (1) of Section 19, a complaint may be filed with the Central Information Commission or the State Information Commission, as the case may be.

Another ground on which a complaint can be filed is provided under section 18(1) (b) of the Act. As per this section, a complaint can be filed where the complainant has been refused access to any information under this Act.

The term 'access to information' under the RTI Act means that either the information seeker has been given the opportunity to examine the records or has been provided with the copy thereof.<sup>16</sup> When access is provided by means of examination, the public authority shall provide reasonable facilities for the examination of the records and set a time for examination that is convenient to the public authority and to the information seeker provided through the

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<sup>15</sup> Section 6(3) of the Right to Information Act, 2005.

<sup>16</sup> Dheera Khandelwal and Krishna K. Khandelwal, A Commentary and Digest on the Right to Information Act, 2005, Bright Law House, New Delhi 2007, p. 197.

copy, then it is the duty of the public authority to see that the information supplied is complete in each aspect, as asked by the informant.<sup>17</sup>

The Central Information Commission, in its decisions, has held that the right to seek information from public authorities by citizens extends only to information held in material form and thus, by implication, does not extend to questioning the public authority about the nature of that information and the process of decision-making. In other words, the public authorities are not obliged to manufacture information for the information-seekers but are obliged to provide only that information which is held by them, or which is under their control.

As per section 18(1)(c), the applicant can also file the complaint where he has not received response to a request for information or access to information within the time limit specified under this Act. When a request for information is received by the Public Information Officer, a decision is to be taken whether to provide the information or to reject the request for any of the reasons specified in sections 8 or 9 respectively of the Act. Section 7 of the RTI Act provides that the Central Public Information Officer or the State Public Information Officer shall supply the information or the ground of rejection as expeditiously as possible and in any case within thirty days of the receipt of the request, provided where the information sought concerns the life or liberty of the person, the same shall be provided within forty eight hours of the receipt of the request and if the information sought relates to third party, then a period of ten days shall be added to the period within which the information is to be supplied.

This period shall be given to the third party to make representation. Where the application is given to the Central or the State Assistant Public Information Officer, a period of five days shall be added to a period of thirty days in view of the proviso to sub section 2 of of the Act. If the information sought is important for life and liberty, forty eight hours would be too long for a person confined or a person under the threat of death. If any person is arrested or is not recorded to have been arrested, any of his friends or relatives can ask for the information about his whereabouts and the reasons for detention.

This is a very significant provision, though forty eight hours is too long a time period, the executive should treat the forty eight hours limit as an upper limit and they should try to give the information as soon as possible. The expression 'within' has to be interpreted to be 'as

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<sup>17</sup> *Ibid.*

soon as possible' to protect human rights. There is no provision for extension in time limit for disposal of request beyond the period prescribed in section 7(1). In case of exceeding the time beyond the period of thirty days, there is always a ground for complaint by the information seeker to the Information Commissioner. In such an eventuality, it is suggested that a notice to the information seeker be given about the extension in time, the reasons underlying the extension and also informing the information seeker of his or her right to complain to the Information Commission about the extension.

Where a Central Public Information Officer or a State Public Information Officer fails to provide such information within the prescribed period, then it shall amount to a deemed refusal. On such a deemed refusal, there are certain rights available to the person seeking the information and there are certain obligations on the part of the Public Information Officer.

Section 18(1) (d) of the RTI Act provides the right to file the complaint if the information seeker has been required to pay an amount of fee which he or she considers unreasonable. According to section 6(1) of the RTI Act, an application for information must be accompanied by the prescribed fee. The fixation of amount of fee has been left to the discretion of the states and that has caused a lot of resentment among social activists and information seekers because some of the states have fixed a very high fee. For example in Haryana, the prescribed fee is Rupees 50.

Such high amount of fee has excluded a major chunk of the population from enjoying the benefits of the Act. However, no fee is to be charged from persons below the poverty line. If information is to be provided on the payment of a further fee, that is, over and above the prescribed fees, then it is the duty of the Public Information Officer to send intimation to the requester of information.

Such intimation shall contain the details of further fees, the calculations made to arrive at the amount in accordance with the fee prescribed, the information regarding his or her right with respect to review the decision as to the amount to be charged, the form of access provided, the particulars of the appellate authority, time limit, process and any other forms. If information is to be provided in the printed or nay electronic format, the applicant shall pay

the prescribed fee. Such fee should be reasonable and no such fee shall be charged from persons living below poverty line.<sup>18</sup>

## 2.2. POWER TO RECEIVE APPEAL

### Section 19:

(1) Any person who, does not receive a decision within the time specified in sub-section (1) or clause

(a) of sub-section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer or the State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or the State Public Information Officer, as the case may be, in each public authority: Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) Where an appeal is preferred against an order made by a Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

(3) A second appeal against the decision under sub-section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission: Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) If the decision of the Central Public Information Officer or State Public Information Officer, as the case may be, against which an appeal is preferred relates to information of a third party, the Central Information Commission or State Information Commission, as the case may be shall give a reasonable opportunity of being heard to that third party.

(5) In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request.

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<sup>18</sup> For further details on the fee structure as well as mode for payment, visit: [http://www.humanrightsinitiative.Org/programs/ai/rti/india/comparative\\_table\\_india\\_state\\_rti\\_rules.pdf](http://www.humanrightsinitiative.Org/programs/ai/rti/india/comparative_table_india_state_rti_rules.pdf).

(6) An appeal under sub-section (1) or sub-section (2) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty-five days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.

(7) The decision of the Central Information Commission or State Information Commission, as the case may be, shall be binding.

(8) In its decision, the Central Information Commission or State Information Commission, as the case may be, has the power to,—

(a) require the public authority to take any such steps as may be necessary to secure compliance with the provisions of this Act, including—

(i) by providing access to information, if so requested, in a particular form;

(ii) by appointing a Central Public Information Officer or State Public Information Officer, as the case may be;

(iii) by publishing certain information or categories of information;

(iv) by making necessary changes to its practices in relation to the maintenance, management and destruction of records;

(v) by enhancing the provision of training on the right to information for its officials;

(vi) by providing it with an annual report in compliance with clause (b) of sub-section (1) of section 4;

(b) require the public authority to compensate the complainant for any loss or other detriment suffered;

(c) impose any of the penalties provided under this Act;

(d) reject the application.

(9) The Central Information Commission or State Information Commission, as the case may be, shall give notice of its decision, including any right of appeal, to the complainant and the public authority.

(10) The Central Information Commission or State Information Commission, as the case may be, shall decide the appeal in accordance with such procedure as may be prescribed.

### 2.3. POWER TO CONDUCT ENQUIRY

Under section 18(2) of the RTI Act, the Information Commission has been empowered to initiate inquiry where it is satisfied that there are reasonable grounds to inquire into the matter. For the purposes of inquiry, if the Information Commission requires any documents or records, then the Public Authority must provide to the Information Commissioner, for

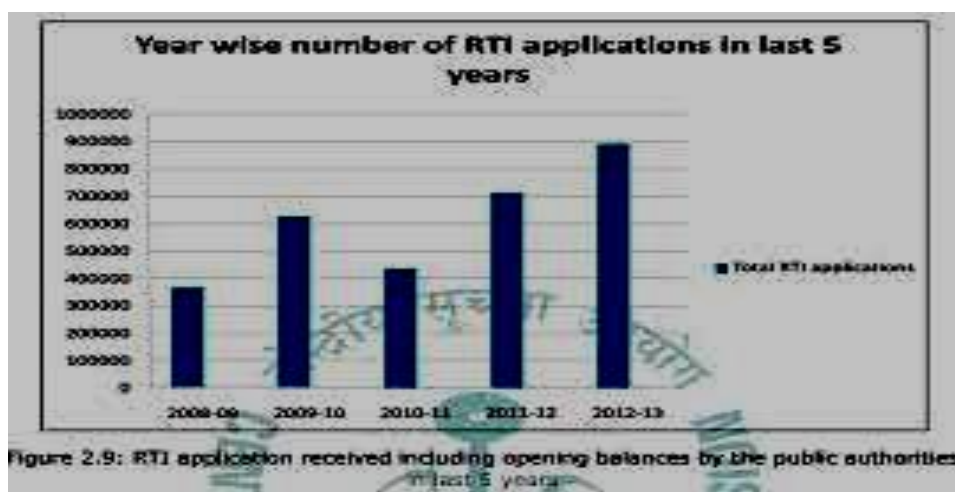
examination, any record requested by the Commission.<sup>19</sup> This overriding power of the Information Commission is irrespective of anything inconsistent contained in any other Act of Parliament or State Legislature, as the case may be.

### **3. ROLE OF CIC IN IMPLEMENTATION OF RTI**

With the objective to empower the citizens and promote transparency and accountability in Government functioning, various awareness programmes on Right to information was organised by the Commission. Individual got freedom to seek Government related information and appeal, if the information wasn't provided. It played pivotal role in knowing the working of Government departments and to change old mind set about secrecy in working of Government.<sup>20</sup>

#### **3.1. HELPS IN SUBMITTING APPLICATION TO PIO'S**

Initially it was difficult for the appellant to register RTI application to Public Information Officers. Sometimes they didn't find the PIO's, when someone wanted to register their application. These PIO's were not answerable to anyone. There were no appellate body in the Information seeking procedure. Establishment of CIC helped the citizens in seeking information. PIO's were answerable to IC's and the appellate got the benefit of appealing i.e. 1st Appeal & 2nd Appeal, to the CPIO's and CIC. It helped the citizens in submitting application and seeking information.



<sup>19</sup> Section 18(4) of the Right to Information Act, 2005.

<sup>20</sup> Available at [https://shodhganga.inflibnet.ac.in/bitstream/10603/200009/14/14\\_chapter%205.pdf](https://shodhganga.inflibnet.ac.in/bitstream/10603/200009/14/14_chapter%205.pdf), accessed on 17/07/2019.

This is the data of RTI applications received by the Public Information Officers over the 5 years span, which clearly shows that the application requests received over the years has simultaneously increased and the CIC's has played a key role in it.

### 3.2. BLOCKED ESCAPE ROUTES UNDER EXEMPTION CLAUSE

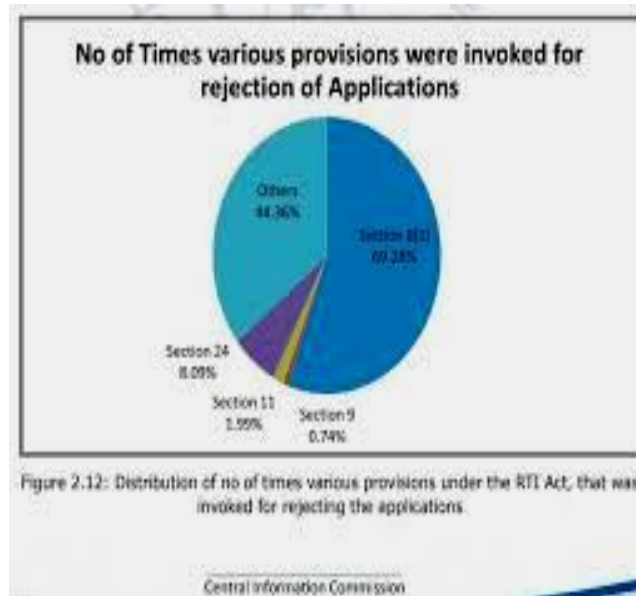
Earlier Public Authorities used to hide behind the exemption clauses, when information is sought by the citizen. These authorities take the shield of Section 8 of the RTI Act, 2005 to hide the information and violate individual's right of Information & Transparency. This led to increase in corruption. The establishment of CIC led to strict implementation of RTI Act. It blocked the Public Authorities from hiding behind the provision of Section 8.

### 3.3. ORGANISED VARIOUS SEMINARS & AWARENESS PROGRAMMES

The Central Information Commission organised various seminars & awareness programmes on the Implementation of the Right to Information Act 2005. The commission with the help of such seminars & awareness programmes promoted the transparency & accountability within the citizens. They promoted the usage of Right to Information for seeking information from public department and educated the citizens to minimise the misuse of the rights given to them. Few Seminars & Awareness Programmes organised by CIC are Seminar on 7th April, 15th July, Annual Convention 2016 etc. Seminar conducted in compliance with Ministry of Personnel, Public Grievances & Pensions.

### 3.4. PUT AN END TO MISUSE OF SECTION 8

Under RTI Act, Section 8 has been given to secure the information which is of public interest & National security. All the public Authorities are obliged to provide all the information which is of public interest, unless until such information has to be protected from public domain. The Public Authorities used to misuse the powers given to them from section 8 of RTI Act. They used to reject the information sought, taking the shield of section 8.



This shows how often the provision of section 8 is used by the Public Authorities to reject the Information Application and hide the information from Appellant.<sup>21</sup>

#### **4. CASE LAWS**

##### **4.1. CENTRAL BOARD OF SECONDARY EDUCATION & ANR. v ADITYA BANDOPADHYAY & ORS.**

In the present case, the main issue was whether a party is eligible to access his answer book for the purpose of revaluation and inspection under the Right To Information Act. The Honourable Supreme Court has held that the examinee has right to access those scripts provided that the request is made during a reasonable time in which the authorities are expected to retain the answer scripts.

Answer book written by a candidate and submitted to examining the body for evaluation is a ‘document or record’ and the evaluated answer book by the examiner appointed by examining body is the ‘opinion’ of the examiner. Thus, the evaluated answer book is ‘information’ under RTI Act. And this answer book also does not fall under any of the exemption provided under (a) to (j) of subsection 1 of Section 8 of RTI Act. Thus, every examinee has a right to inspect the evaluated answer book and if needed can take certified copies thereof under RTI Act.<sup>22</sup>

<sup>21</sup> Aanchal Agarwal, Role of CIC in implementation of RTI, 2018.

<sup>22</sup> Central Board of Secondary Education and another v. Aditya Bandopadhyay and others (2011) 8 SCC 497.



4.2. GIRISH RAMCHANDRA DESHPANDE V CENTRAL INFORMATION COMMISSIONER & ORS.

This case is concerned with the question whether the Central Information Commissioner acting under the Right to Information Act, 2005 was right in denying information regarding the third respondent's personal matters pertaining to his service career and also denying the details of his assets and liabilities, movable and immovable properties on the ground that the information sought for was qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act.

The details disclosed by a person in his income tax returns are "personal information" which stand exempted from disclosure under clause

- (j) of Section 8(1) of the RTI Act, unless involves a larger public interest and the Central Public Information Officer or the State Public Information Officer or the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information.

The appellant in the instant case has not made a bona fide public interest in seeking information, the disclosure of such information would cause unwarranted invasion of privacy of the individual under Section 8(1) (j) of the RTI Act.

Therefore, the view that the petitioner has not succeeded in establishing that the information sought for is for the larger public interest. That being the fact did not entertain this special leave petition. Hence, the same was dismissed.<sup>23</sup>

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<sup>23</sup> Girish Ramchandra Deshpande v. Central Information Commissioner, (2013) 1 SCC 212.

## **5. CONCLUSION AND SUGGESTIONS**

From the above discussion, it seems evident that the Information Commissions are functionally and administratively independent as has been provided under sections 12(4) and 15(4) respectively of the RTI Act. Nevertheless, financially it is totally within the control of the concerned governments. The Governments at the centre as well as the 204 state level should render all their support to ensure that the work of these Information Commissions do not suffer on any count - either financially or in terms of manpower. Half-hearted attitude of the government is often a recurrent complaint in this respect.

There is a need for the Information Commissions to be empowered - financially as well as administratively, to allocate funds and undertake suitable research and development activities for the promotion of relevant programmes that are critical for strengthening the information regime, as envisaged by the Act. Further, often, the Commission feels handicapped about not being able to hold the PIOs and public authorities accountable for non-implementation of its orders/decisions.

So, to give teeth to its powers, it is essential that the Information Commission be given the powers of contempt of court. Also, although as per the provisions of the RTI Act, monitoring the implementation of the Act is the responsibility of the government, however, experience of the past years shows that this monitoring cannot be left in the hands of the government alone. It shall only be the efforts of the Information Commission that shall ensure proper monitoring of this law. Therefore, it is suggested that the Commissions be given concrete powers in this regard also.