

**Bill No. 70 of 2011**

THE RIGHT TO INFORMATION (AMENDMENT) BILL, 2011

By

SHRI BHAUSAHEB R. WAKCHAURE, M.P.

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BILL

*further to amend the Right to Information Act, 2005.*

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Right to Information (Amendment) Act, 2011.

Short title,  
extent and  
commencement.

(2) It extends to the whole of India.

5 (3) It shall come into force at once.

22 of 2005. 2. In section 6 of the Right to Information Act, 2005, (hereinafter referred to as the principal Act), for sub-section (2), the following sub-section shall be substituted, namely:—

Amendment  
of section 6.

10 "(2) An applicant making request for information shall give reason for requesting the information and other personal details including those details that may be necessary for contacting him."

Amendment  
of section 7.

**3.** In section 7 of the principal Act, in sub-section (1), for the words "for any of the reasons specified in section 8 and 9", the words "if it does not comply with requirements of sub-section (2) of section 6 or for any of the reasons specified in sections 8 and 9" shall be substituted.

Amendment  
of section 8.

**4.** In section 8 of the principal Act, in sub-section (1), after clause (j), the following clause shall be inserted, namely:— 5

"(k) information if any application made under section 6 does not contain reasons for requesting such information or if the reasons given by the applicant are not adequate or are factually incorrect in the opinion of the authority competent to furnish the information.".

#### STATEMENT OF OBJECTS AND REASONS

The Right to Information Act was enacted in 2005. Though the legislation is serving its purpose to a great extent and especially in the sphere of public grievances against the authorities, yet there are certain lacunae in the Act. Certain anti-social elements seek information about the affairs of public authority for ulterior reasons. The only reason for seeking such information is to blackmail such authorities or organizations or to make money or harass them.

In fact, it is a welcome step that social organizations use the Act to help the poor people to get their grievances redressed. But at the same time any information which could be misused to harass individuals should not be allowed to be obtained.

Therefore, it is proposed in the Bill that an applicant seeking certain information shall provide the reasons therefor and the authority may reject the application if the reasons are not furnished or inadequate.

As such, it is proposed to amend the Right to Information Act, 2005, accordingly.

NEW DELHI;  
*August 2, 2011.*

BHAUSAHEB R. WAKCHAURE

*ANNEXURE*

EXTRACT FROM THE RIGHT TO INFORMATION ACT, 2005.

	*	*	*	*	*	*
Request for obtaining information.	<b>6. (1)</b> *		*	*	*	*
	(a) *		*	*	*	*
	(b) *		*	*	*	*

(2) An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.

	*	*	*	*	*	*
Disposal of request.	<b>7. (1)</b>	Subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer or State Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9:				

	*	*	*	*	*	*
Exemption from disclosure of information.	<b>8. (1)</b> *		*	*	*	*
	(a) *		*	*	*	*
	(b) *		*	*	*	*
	(c) *		*	*	*	*
	(d) *		*	*	*	*
	(e) *		*	*	*	*
	(f) *		*	*	*	*
	(g) *		*	*	*	*
	(h) *		*	*	*	*
	(i) *		*	*	*	*

(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the large public interest justifies the disclosure of such information:

Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

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