

**GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

STARRED QUESTION NO:117
ANSWERED ON:30.11.2005
SETTING UP OF INFORMATION COMMISSION
Bhakta Shri Manoranjan;Singh Shri Mohan

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) Whether the Government proposes to set up an Information Commission in each State under the Right to Information Act, 2005;
- (b) if so, the details thereof and the time by which such Commissions are likely to be set up in the country;
- (c) whether the Act mandated that the departments should publish their organisational and functional details within 100 days of its enactment;
- (d) if so, the number of States and Union Territories which implemented the Act in totality;
- (e) if not, the reasons therefor;
- (f) whether the Government has framed rules under the Act;
- (g) if so, the details thereof;
- (h) whether the Government is considering to simplify the procedures in practice in decision making in ministries and departments; and
- (i) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS.(SHRI SURESH PACHOURI)

(a) to (e): The Right to Information Act, 2005 casts a statutory obligation on every State Government, except the State of Jammu and Kashmir to which the Act is not applicable, to constitute its own State Information Commission, by 12th October, 2005 on which date the Act fully came into force. Section 4(1) (b) of the Act casts upon every public authority a duty to publish within one hundred twenty days from the date of enactment, certain organisational and functional details as provided therein.

As per information presently available, 13 States have implemented the RTI Act by taking action under section 4, 5 and 15 of the Act. Union Teretories fall under the jurisdiction of Central Information Commission which has already been constituted.

(f) & (g): The Central Government has notified the following rules in order to carry out the provisions of the Act, namely:

- (i) Right to Information (Regulation of Fee and Cost) Rules, 2005;
- (ii) Right to Information (Regulation of Fee and Cost) (Amendment) Rules, 2005; and
- (iii) Central Information Commission (Appeal Procedure) Rules, 2005

These Rules provide for fee to be paid for access of information and procedures to be adopted in deciding the Appeal by the Central Information Commission. These Rules have been notified in official gazettee vide GSR 336 dated 1.10.05, GSR 649 (E) dated 27.10.05 and GSR 650(E) dated 28.10.05 respectively.

(h) & (i): Review of the practices in decision making process is a continuous process in order to simplify and make them user-friendly.