

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

UNSTARRED QUESTION NO:584

ANSWERED ON:03.08.2011

EXEMPTION OF CBI FROM RTI ACT

Bais Shri Ramesh;Meghwal Shri Arjun Ram ;Nahata Smt. P. Jaya Prada;Pandurang Shri Munde Gopinathrao;Shekhar Shri Neeraj;Singh Shri Yashvir

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

- (a) whether the Government has any proposal to amend RTI Act 2005 to exclude the Central Bureau of Investigation (CBI) from its purview;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether CBI has already been exempted from RTI Act under clause 8(h) of RTI Act to share information regarding investigation;
- (d) if so, the details thereof;
- (e) whether some other organizations of the Government have also demanded for their exemption from RTI Act; and
- (f) if so, the details thereof and the reaction of the Government thereto?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office .
(SHRIV. NARAYANASAMY)

(a) & (b): The Central Bureau of Investigation (CBI) has been included in the Second Schedule to the Right to Information Act, 2005, thereby, exempting it from the purview of the Act except in respect of information pertaining to the allegations of corruption and human rights violations. The Government decided to include the CBI in the Second Schedule after satisfying itself that it qualifies as a security and intelligence organization and that it is necessary to do so in the interest of the security of the State.

(c) & (d): Clause (h) of Sub-section (1) of Section 8 of the RTI Act allows refusal of disclosure of an information, disclosures of which would impede the process of investigation or apprehension or prosecution of offenders. It does not exempt disclosure of all information regarding investigation.

(e) & (f): There was a demand for exemption of the National Investigation Agency and the National Intelligence Grid from the purview of the RTI Act. Both these organizations have also been included in the Second Schedule to the Act.