

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

UNSTARRED QUESTION NO:2981

ANSWERED ON:29.08.2012

RULES FOR IMPLEMENTATION OF RTI ACT

Das Gupta Shri Gurudas; Karunakaran Shri P.; Lingam Shri P.

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

(a) whether the attention of the Government has been drawn to the report that various High Courts in the country have prescribed rules for implementation of RTI Act in violation of the Parent Act, making the implementation more difficult; and

(b) if so, the details thereof and the Government's reaction thereto?

Answer

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

(a): Sections 27 and 28 of the RTI Act, 2005 empower the appropriate Governments and the competent authorities respectively to make rules to carry out the provisions of the Act. State Governments and High Courts have prescribed their own rules under the above provisions.

(b): The 2nd Administrative Reforms Commission in its 1st report titled 'Right to Information: Master Key to Good Governance' had inter-alia recommended that States may be required to frame Rules regarding application fee which are in harmony with the Central Rules. It needs to be ensured that the fee itself does not become a disincentive. Accordingly, the Central Government vide its communication No. 1/5/2011-IR dated 26.04.2011 has requested the Chief Secretaries of all the State/UTs, where the Act is applicable, the Registrars of all the High Courts and the Registrar of the Supreme Court to review their Fee Rules and to prescribe fee in consonance with the fee prescribed by the Government of India.