

THE RIGHT TO INFORMATION (AMENDMENT) BILL, 2006

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to amend the Right to Information Act, 2005.

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:

	1. (i) This Act may be called the Right to Information (Amendment) Act, 2006.	Short title and commencement.
	2. It shall come into force on such date as the Central Government may, by notification in the Official Gazette appoint and different dates may be appointed for different provisions of this Act.	

Amendment of section 2	2. In section 2 of the Right to Information Act, 2005 (hereinafter referred to as the principal Act), in clause (i), for sub-clause (d), the following shall be substituted, namely:—	
	“(d) any other material produced by a computer or any other device, but does not include, for the purpose of sub-clause (a), file noting except substantial file notings on plans, schemes, programmes of the Central Government or a State Government, as the case may be, that relate to development and social issues:.”	
Amendment of section 8.	3. In section 8 of the principal Act, in sub-section (1) ,(i)	
	(A) in clause (i), for the first proviso, the following proviso shall be substituted, namely:-	
	“Provided that the decisions of Council of Ministers and the reasons thereof shall be made public after the decision has been taken, and the matter is complete, or over”:	
	(B) after clause (j), the following clauses shall be inserted namely:-	
	“(k) information relating to identity of any individual, or group of individuals, who made inspection, observations, recommendation, or gave legal advice or opinion or referred to in any minute relating to plans, schemes, programme of the public authority which relate to development and social issues: Provided that a citizen shall have a right to information in respect of plans, schemes, programmes of the public authority relating to development and social issues other than those exempted under clauses (a) to (m) of this sub-section;	
	(l) information pertaining to a process of any examination conducted by any public authority, or assessment or evaluation made by it for judging the suitability of any person for appointment or promotion to any post or admission to any course or any such other purpose, the disclosure of which would	

	adversely affect the objectivity or fairness of such process;	
	(m) copies of noting, or extracts from, the document, manuscript and file so far as it relates to legal advice, opinion, observation or recommendation made by any officer of a public authority during the decision making process prior to the executive decision or policy formulation."	
	4. In section 18 of the principal Act, after sub-section (4), the following sub-sections shall be substituted, namely:-	Amendment of section 18
	(5) The Central Information Commission or State Information Commission, as the case may be, shall take all necessary measures in order to promote the use of electronic record to facilitate effective disclosure of information, record keeping, information management and for making information easily available and make recommendation in respect of such measures may include-	
	(a) institution of effective implementation and monitoring mechanisms for right to information under this Act including designing strategies for successful implementation of the provisions of this Act.	
	(b) conducting of workshops and conferences to develop an action plan, to collaborate with the multiple stakeholders (including the State nodal agencies, Administrative Training Institutes, civil society, the media, academics, international institutions such other institutions) for implementation and monitoring mechanisms for right to information under this Act;	
	(c) undertaking research for the identification of systems and tools that need to be developed and deployed in order to support the implementation of the right to information under this Act;	
	(d) development of guidelines on minimum requirements regarding the content of each proactive disclosure obligation and the methods of publication.	
	<i>Explanation-</i> For the purposes of this sub-section, the expression "electronic record" shall have the	

	meaning assigned to it in clause (t) of sub-section (1) of section 2 of the Information Technology Act, 2000.	21 of 2000
	(6) The Central Information Commission or State Information Commission as the case may be shall submit, its recommendations under this section to the Central Government or the State Government as the case may be, which may accept of such recommendations and decision of such Government on the recommendation shall be final.”	