INFORMATION is a matter of Right

Do you want to know?

- Why the roads in your neighbourhood are in bad shape? How much money was sanctioned and how much spend on the repairs?
- How many posts fall vacant in Govt offices and who is responsible for advertising them?
- What kinds of services are you entitled to receive in Govt. hospitals?
- Why are you not getting state subject certificate without paying bribe?
- Why is it not available at the CAPD store?

Have you tried to contact the government offices in the past to get answers to such questions?

Chances are, despite several visits you might not have received a satisfactory reply.

The situation has changed now. Since 29th March 2008, the J&K Right to Information Act 2005 (RTI Act) has been implemented all over the state of Jammu & Kashmir.

All the Government offices are duty bound to give you information about such and other questions.

Seek Information - It’s your fundamental Right:

Every time you buy something from a shop, you pay sales tax, VAT, excise duty etc., along with the price of the item. Every citizen of J&K state or any other state in the country pays tax. The Government collects taxes from you to pay salaries to officers and undertakes developmental works meant for your benefit.

So when you elect the Government and you pay taxes, you should not hold the Government accountable when it lies in your name.

Under J&K Right to Information Act, 2009

You can seek and receive information from any Government Official or the Principal office, office of the Municipal Ward Officer or office of the Chief Minister, even the office of the President of India.

Public Information Officers (PIOs) have been appointed in all the States as well as Central Government in accordance with RTI related applications received from citizens.

Every PIO has a duty to provide you access to Government records, otherwise, if any information cannot be given, the PIO has a duty to tell you the reason.

As a citizen you have the right to seek and receive all information that an PIO or MLA can get from the Government.

Proactive or Voluntary Disclosure:

Every Government department, semi-government and private sector bodies which receive more than 75% of their revenue from the Government, should proactively deposit certain information on the website.

- Name, designation, powers, duties, responsibilities and salaries of all the officers working in that particular organization.
- Decision-making procedure in all matters and the norms set for taking action on any matter, details of all cases, regulations, instructions, rules, and guidelines.
- A list of all categories of records available in their offices.
- The proposed budget, allocation of funds and reports about their distribution.

The manner of implementation of subsidy schemes, list of beneficiaries and amount of funds sanctioned to them.

Details of recipients of any permit, authorization or concession issued.

The PIO is the Public Information Officer (PIO), Assistant PIO and 1st Appeal Authority.

All this information should be available with the PIO. The PIO has a duty to give you all this information on demand. There is no need to submit a written application or pay application fee. The PIO may change you for praiseworthy sophistry.

New under RTI: Act you have the right to:
- Inspect Government files and records and take notes and extracts.
- Seek and receive certified copies of Government records.
- Inspect on spot public works such as construction of roads and buildings.
- Collect certified samples of material used in public works and offices.
- Seek information held in electronic format such as CD, diskettes, computer etc.
- Accessing other kind of Information

Besides the information that public authorities are required to give you on their own, you have the right to seek and receive other information which may be in the form of records, documents, manual or in any other form.

The PIO is duty bound to provide you the information that you require. You may need your application by the next day or even a little later.

One is not compulsory to pay any pre-printed or formatted application forms for filing RTI application. The PIO has a duty to receive applications written in any format.

RTI Application can be written on Rs. 20/- Non Adhesive Stamp Paper as well, and there is need to pay RTI application fees separately if the application is drafted on Rs. 20/- Adhesive Stamp paper or Rs. 5/- under J&K RTI Act 2009.

The PIO does not have the power to ask you why you need the information. You have the right to seek information without giving any explanation to any officer.

The PIO has a duty to give you a written acknowledgment upon receiving your application.

If the information you want is not available in the public authority offices where the PIO is working, it is his / her duty to forward the application within 15 days to such other public authority that is likely to have it. He / she should inform you of the transfer of application in writing. You need not pay application fees once again.

The PIO may change you for additional fees for proponed information. He / she will inform you the additional fees in writing.

If you think the additional charge is very high, then you have the right to seek a review before the Appellate Authority or the Information Commission.

The PIO has a duty to give you information you want or if you are writing in writing it is not legible, or the information falls under purview of Section 6 of J&K J&K Right to Information Act 2009 then the application is transferred from one office to other.

Life & Liberty Clause: If the information you have requested relates to Life and Liberty of any person then the PIO has a duty to provide the information within 48 hours only, (example if somebody is arrested).