

manner. There is a need for special position for women in society announcements and other planning should be made by the Government for the upliftment of women. Special recommendations and reservations should be made according to their proportion with men in every field. Women should be treated equally with men as far as possible. It may not be possible to create this type of society instantly, it may take years together but until then it is the duty of each citizen of India to put efforts for this object. When all these precautions are taken we can expect reduction in number of crimes by women to certain extent.

Government of India is taking steps towards women criminals in order to reform them rather than punish them. The theory adopted was not punitive but rehabilitative and women offender is sent to 40 correctional institutions rather than to prison.

Finally *the criminal is not born but the circumstances and social surroundings make a person criminal*. What are the reasons which make a man criminal? A child is innocent and adorable but as she grows, she adopts different traits in his life and sometimes delinquency and criminality become part of his life and during adult life also she behaves in the same fashion. The knowledge of criminology is also necessary for certain professionals and also for those who want to provide social services. Thus for the Magistrates, the police, the Prison Officials, the probation and parole authorities, it is necessary to have the adequate knowledge of crime and the criminal behaviour for dealing with the criminals in a human manner so that the criminals may not only be punished but adequately reformed. Many criminal, have great humane instinct and can do great sacrifices for the cause of humanity.

AN ARTICLE ON THE RIGHT TO INFORMATION ACT, 2005

By

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In any form of Government, there are always two sections – The Rulers and the Ruled. Out of the various forms of Government like monarchical, presidential, dictatorial and democratic, the democratic form of Government is the best as it gives importance to people's welfare and progress. In this form of Government, the citizens are given a large number of rights among which the right of information is very important as the citizens can demand for any information from the public authorities. When this right is exercised the Government can maintain transparency in administration and the public authorities are more responsible. The citizens are more alert and are involved in the matters of the nation and the nation and the corruption can be weeded out.

In a democracy the people choose the representatives both at the Central and State level, *i.e.* the Parliament and the State Legislative Assemblies. But sometimes the people cannot approach their leaders. Even during the British regime, they could not approach the Government authorities. After the independence too, the citizens could not solve their problems nor could ask for any information they needed. In order to make the information available to the citizens the Law Commission of India in its 179th report stressed the need for a law to ensure the access to information which resulted in drafting of the "Freedom of Information" Bill 2000, which was ultimately enacted as the freedom of information Act 2002. Later on the recommendation of the "Right to Information Act 2005". It

received the President's assent on the 15th June 2005.

The right to Information Act, 2005 extends to the whole of India except to Jammu and Kashmir. It covers all the public authorities whether falling under the purview of the Central or the State Government. It allows every Indian citizen to seek information from a public authority in the prescribed manner.

The Act primarily envisages to set out a practical regime of right to information for citizens to secure information under the control of public authorities, in order to promote transparency and accountability, in the working of every public authority.

Salient features:—

- It entitles every citizen to the right of information.
- Information means material of almost all types and in any form including records, documents, memos, e-mails, circulars, press releases, orders, contracts, reports, samples *etc.*
- Certain information are exempted from disclosure.
- Right to information includes inspection of documents and records, taking of or obtaining its certified copy or in electronic form.
- The Act applies to all public authorities whether owned, controlled or financed by the Central Government or a State Government.
- Every public authority is obliged to publish and disseminate certain information '*suo motu*' and to furnish the information requested for, in writing or in electronic mode, by any person.
- The information is required to be provided within the specified time.
- It also puts in place a supervising authority in shape of the Central

Information Commission and a State Information Commission in each State.

- The Act provides for penalties for non-compliances of certain provision of or obligations under the Act.

The term 'public authorities broadly includes all Government Dept's, public sector undertakings (substantially owned or controlled by the Government). For providing the information promptly the Act provides for the appointment of Public Information Officers in each of the public authorities in each department at both the Central and State level.

Firstly the citizens seeking the information may send his application for the information (which is written and not oral). The citizen can get the information which is recorded and published. If any information is not published for any confidentiality, then the Information Officer will decide whether the larger public interest is served or not by revealing that particular information.

The citizen may send his application to the Assistant Public Information Officer who in turn will send it to the Chief Public Information Officer who has to dispose off the information within 30 days. If the information is not given either partly or fully, the applicant can appeal to the officer who is higher in status than the Public Information Officer. This appeal is known as the "First Appeal". Then the third stage is called the "Second Appeal". This is dealt by the Central or State Information Commission. If the appeal is allowed, then the Information Officer is asked to furnish the information. If the Information Officer is at fault, he will have to face the penalties and disciplinary actions from the original appointing authority. Court are not entitled to entertain any suit in respect of observance or non-observance of any matter under this Act because the remedy is provided in the Act itself. 18 and 19 sections deal with certain restrictions on

revealing of the information. So we can say that this is a complete code because it has the concept of appeal and second appeal too.

If Information Officer does not function properly, he will be punished and penalty will be imposed on him and disciplinary action will be taken against him by the higher authority.

There are certain matters which may not be revealed. The information which may affect the sovereignty and integrity of India, security, scientific and economic interest of India and the relationship with other foreign countries may not be revealed. Information which will not be revealed will be the matter which is forbidden by the Court to be published. Any information which may breach the dignity and respect of the Parliament and the Legislature may not be revealed in the same way information relating to any trade secrets, intellectual property matters which may harm the competitive position of any third party, the information which may endanger the lives of other people will not be revealed.

Right to information Act in relation of Jammu and Kashmir:

Sometimes the question may arise that if the Indian Parliament excludes Jammu and Kashmir from its operation because of certain arrangement and relevant provisions of the Constitution can we consider Jammu and Kashmir as an integral part of India?

We can definitely say that Jammu and Kashmir is an integral part of India because the Act applies to the whole of India.

The citizens can seek the information regarding the nominations for the family pensions, the individual's personal rights for which they can inspect the records and take the copies. It is mandatory for all the public authorities to publish all the information

available with them. If any information is not published in terms of Section 4, the Public Information Office decides that it should be released. If there's any pollution problem from any industry or any environmental problem, the citizens can seek information regarding that. The information regarding the economic and scientific research and development shall not be revealed if such information may harm the national interest.

Third party information:

Sometimes there may be information which a person seeks to know but it may so happen that the information may be supplied by a third party, then the Information Officer may send a notice to the third party giving him the clear picture and asking whether he revealed. But if the Public Information Officer decides against the third party's wishes, the third party has a right to appeal against it. If the Information Officer feels that revealing of this information may serve the larger, of the nation then it may be revealed.

Sometimes it may so happen that the individual may misuse this rights. The higher officers in any department may use this right and try to get information regarding his own confidential report. Sometimes people may use it as evidence in the Court. So it is important that the individuals and public authorities both should be responsible and politically educated and use this right judiciously;

This Act is in its early stages. Many people may not be aware of this Act so it is important that everyone should be made aware of this Act and utilize it properly. Only then the Government will be more responsible and democracy will be successful and meaningful and people's lives will be happier and progressive. This would also bring more transparency in the administration which is very much needed for the common man.