

NGOs, groups denied info under RTI

Authorities Say, According To The Act, Only Citizens Can Be Given Details

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Chennai: Can an association or a non-governmental organisation be refused information under the Right To Information (RTI) Act by public authorities?

Both the state and the central information commissions have on several occasions ruled in favour of associations and NGOs seeking information. However, many government departments do not appear to be honouring these rulings. They still reject RTI applications when they are made by individuals in their capacity of office-bearer of an association or an NGO.

The TNHB Colony Residents Consumer Protection Awareness Welfare Association in Mathur near Madhavaram is the latest aggrieved organisation. The association filed an RTI application with the state rural development department in November 2009 seeking details about the implementation of schemes under the National Rural Employment Guarantee Act (NREGA) in the State. The department re-



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jected the application saying that a residents' association could not make RTI queries. As per Section 3 of the RTI Act, the department said, public authorities are asked to give information only to citizens of the country.

Agitated over it, the association filed an appeal with the Tamil Nadu State Information Commission which has now summoned the public information officer of the rural development department to appear before it for an inquiry on May 12.

Similarly, the Federation of Anti-Corruption Teams (FACT)-India, an

NGO, which had sought information from the fisheries department about the maintenance of water bodies, the quantity of fish culture and the yield, has been struggling to get the required details for about six months now.

The public information officer of the fisheries department denied the information saying that only individuals could apply under the RTI Act. The information commission which heard the case last week observed that the PIO was wrong in rejecting the application.

K Bharathi, president of the South

Indian Fishermen Welfare Association had to make a fresh RTI application in his individual capacity as his request as an office-bearer of the association was turned down by a public sector insurance company when he wanted details about the health insurance scheme for tsunami-affected people.

When contacted, Tamil Nadu Chief Information Commissioner S Ramakrishnan told The Times of India: "We gave a number of rulings on the issue against such denial of information. As per Section 6 of the RTI Act, any person who is a citizen of the country can get information from public authorities. Section 3(42) of the General Clauses Act clearly defines that person includes association of persons also, whether incorporated or not."

Once the Central Information Commission itself passed an order saying that associations could not apply under RTI Act. However, the order was reversed later, the state chief commissioner added.

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