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Consumer fora begin penalising PIOs

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: In a move that is expected to have far reaching consequences, the consumer disputes redressal fora in various districts in the State have begun penalising government officials for delay in providing information under the Right to Information Act 2005.

Welcoming such activism on the part of the consumer fora, RTI activists say that this was happening due to an authoritative order passed by the National Consumer Disputes Redressal Commission (NCDRC) in May 2009 wherein it was held that delay in providing information amounted to deficiency in service.

S. Sampath, an RTI activist here, feels that directing the Public Information Officers (PIO) pay compensation under the Consumer Protection Act would go a long way in making them work briskly as the State Information Commission seldom punishes such officers despite an express provision in the RTI Act. "Section 20 of the RTI Act provides for imposing a maximum fine of Rs. 25,000 for default in furnishing information. But the failure of the Information Commission to invoke the provision has led to many PIOs sitting over a large number of RTI applications for years together.

"It is heartening to see that at least the consumer fora have stepped in at the right time and began cracking the whip so that the officials do not dilly-dally whenever they receive applications seeking information. It will create a kind of fear and help in speedy disposal of information," he adds.

The NCDRC had held that an RTI applicant could be termed as a consumer and hence the Consumer Protection Act, which provides additional remedy in addition to remedies provided under other enactments, would apply in cases where the information was delayed or denied. Overruling the objection that consumer fora could not interfere in such issues as the RTI Act provides for appeal before higher authorities, the NCDRC had said:

"The (RTI) applicant had availed the services under the said Act for consideration by paying a fee of Rs. 10 and had sought information which if not supplied to him amounts to deficiency of service."

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