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The state information commission has directed the state government to list the reasons why it kept Force One, the Anti-Terrorist Squad and the Anti-Corruption Bureau out of the ambit of the Right to Information Act.

The order was given on Wednesday after former central information commissioner Shailesh Gandhi and RTI activists Vivek Velankar and Bhaskar Prabhu filed a complaint on the issue. The order was given by state chief information commissioner Ratnakar Gaikwad. The directions were given to the chief secretary.

The state government had on September 9 issued a circular stating that the ACB is outside the RTI's ambit. After the hue and cry that followed, the governor asked the government to withdraw the circular. However, reasons for the order were not known.

The activists filed a complaint with the commission asking why reasons were not given. Sections 4 (1) (c) and (d) of the Rti Act state that every public authority shall publish all relevant facts while formulating important policies or announcing decisions which affect the public and provide reasons for its administrative or quasi-judicial decisions to affected people.

While expressing 'surprise' over the ACB circular, the commission said it was surprising that the government came up with an 'illegal' and 'wrong' order that was withdrawn later.

The order upheld the argument that ACB is neither a security or intelligence agency for it to be out of RTI. "The notification was illegal and before putting up such decisions, they are supposed to give reasons. Hopefully the order will serve a lesson for the public authorities to not do something like this in future," said Shailesh Gandhi.

source :-

<http://www.dnaindia.com/mumbai/report-explain-why-ats-was-kept-out-of-rti-ambit-info-panel-tells-maharashtra-government-2034653>