

The Right To Information Act, 2009

Bangladesh

A Summary

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The Act was notified in the Bangladesh Gazette on Monday, 6 April, 2009. It received the President's assent on 5 April 2009.

Preamble:

The Act makes provisions for ensuring free flow of information and people's right to information. The freedom of thought, conscience and speech is recognised in the Constitution as a fundamental right and the right to information is an alienable part of it. Since all powers of the Republic belong to the people, it is necessary to ensure right to information for their empowerment.

The right to information shall ensure that transparency and accountability in all public, autonomous and statutory organisations and in private organisations run on government or foreign funding shall increase, corruption shall decrease and good governance shall be established. It is expedient and necessary to make provisions for ensuring transparency and accountability.

Comes into force: Section 1

All provisions of the Act have come into force since 20 October 2008 except for Sections 8, 24, 25 which shall come into effect from 1 July 2009. This includes the sections on request for obtaining information (Sec.8), appeals mechanism (Sec.24) and complaints mechanism (Sec. 25).

Authority and Information Providing Unit: Section 2

- Any organization/institution constituted in accordance with the Constitution of People's Republic of Bangladesh;
- Any ministry, division or office constituted under the Rules of Business as given in Article 55(6) of the Constitution;
- Any statutory body or institution established by or under any Act;
- Any private organization or institution run on government funding or with help from the government exchequer;

- Any private organization or institution run on foreign funding;
- Any organizations or institution that undertakes public functions in accordance with any contract made on behalf of the Government or made with any public organization or institution;
- Any other organization or institution as may be notified by the Government in the official gazette from time to time.

The **Information Providing Units** include:

- The head office, divisional office, regional office, district office or sub-district (*upazila*) office of any department, directorate or office attached to or under any ministry, division or office of the government;
- The head office, divisional office, regional office, district office or sub-district (*upazila*) office of an authority.

Third Party: Section 2

Third Party is any other party associated with the information sought, other than requester applying for information or the authority providing the information.

Information means: Section 2

According to the Act, information is in relation to an authority's constitution, structure and official activities and includes any: memo, book, design, map, contract, data, log book, order, notification, document, sample, letter, report, accounts statement, project proposal, photograph, audio, video, drawing, film, any instrument prepared through electronic process, machine readable documents and any other documentary material regardless of its physical form or characteristics.

Information does not include office note sheet or photocopies of note sheets.

Right to Information: Section 4

Every citizen has a right to information from the Authority and the Authority shall on demand from a citizen be bound to provide information.

What is not open? – Section 7

Publication or providing certain types of information is not mandatory.

None of the authorities will be obliged to give the citizens the following information:

- 1) Information disclosure of which would be a threat to the security, integrity and sovereignty of Bangladesh;

- 2) Information related to any foreign policy, the disclosure of which would lead to harming existing relationships with any foreign state, or international institution or any regional bloc or organization;
- 3) Information received in confidence from a foreign government;
- 4) Information related to commercial or business confidence, copyright or intellectual property right, the disclosure of which would harm the intellectual property rights of any third party;
- 5) Information the disclosure of which would either benefit or harm an individual or institution, such as :
 - a) any advance information regarding income tax, customs, VAT and law relating to excise, budget or change in the tax rate;
 - b) any advance information regarding changes related to exchange rate and interest rate ;
 - c) any advance information regarding the management and supervision of financial institutions including banks;
- 6) Information the disclosure of which would obstruct the enforcement of law or incite any offence;
- 7) Information the disclosure of which would endanger the security of the people or would impede the due judicial process of a pending case;
- 8) Information the disclosure of which would harm the privacy of the personal life of an individual;
- 9) Information, the disclosure of which would endanger the life or physical safety of any person;
- 10) Information given in confidence by a person to help a law enforcement institution;
- 11) Information related to any matter pending in any court of law and which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;
- 12) Information related to any matter which is under investigation whose disclosure might impede the investigation process;
- 13) Information, the disclosure of which would affect any criminal investigation process and the arrest and prosecution of the offenders;
- 14) Information, which according to law is liable to be published only for a specified time period;
- 15) Information obtained through technical or scientific experiments which is expedient to be kept secret for strategic and commercial reasons;
- 16) Information related to any purchase processes before it is complete or before any decision is taken regarding the purchase or the processes involved;
- 17) Information whose release may lead to breach of privileges of National Parliament (Jatiya Sansad);
- 18) Information regarding any person which is to be kept in confidence by law;

- 19) Advance information regarding question papers of an examination or the marks obtained;
- 20) Documents including summaries to be placed before the Cabinet or as the case may be, in the meetings of the Council of Advisors and information relating to deliberations and decisions made, provided that the decisions of the Cabinet or the Council of Advisors, the reasons and material basis upon which the decisions were taken shall be made public,

Provided as per this section if information is not to be disclosed then the related authority must take prior approval from the Information Commission.

Partial Disclosure: Section 9

Partial access to information contained in records covered by the clause where information is not mandatory for publication, is allowed. A portion of the information requested can be separated from the portion that is not mandatory for publication and be given to the applicant.

Who are excluded? – Section 32 and Schedule

The following organizations and institutions involved with national security and intelligence as mentioned in the schedule shall not be covered by the RTI Act:

1. National Security Intelligence (NSI)
2. Directorate General of Forces Intelligence (DGFI)
3. Defence Intelligence Units
4. Criminal Investigation Department (CID), Bangladesh Police
5. Special Security Force (SSF)
6. Intelligence Cell of the National Board of Revenue
7. Special Branch, Bangladesh Police
8. Intelligence Cell of Rapid Action Battalion (RAB)

The number of institutions mentioned in the list above can be decreased or increased by the Government by amending the schedule in consultation with the Information Commission from time to time by notification published in the government gazette.

Information relating to corruption and human rights must be given. If a request for such information is received, then the concerned organization or institution must give the information, subject to the approval of the Information Commission within 30 days from the date of receiving the request.

Authority's Duties: Section 5, 8

- 1) To maintain information in a catalogued and indexed form and preserve it in an appropriate manner;
- 2) Each authority shall computerize all information that can be computerized within a reasonable time limit and connect them through a country-wide network to facilitate access to information;
- 3) Each authority shall follow the guidelines and directives as given by the Information Commission for the maintenance and management of information;

- 4) Each authority shall prepare, publish and publicise a list of information that will be given free of cost based on the directives of the Information Commission (s. 8(6)).

Information Disclosure by Authorities: Section 6

Each authority has to publish and publicise all information in an indexed manner which is easily accessible to the citizens regarding any decision taken, proceeding or activity executed or proposed. In disclosing this information, no authority shall conceal or limit access to any information;

Each authority must publish a report each year which will contain the following information:

- 1) The particulars of an authority's organizational framework, functions and duties and responsibilities of its officers and employees and the description of decision-making processes;
- 2) List of all laws, acts, ordinances, rules, regulations, notifications, directives, and manuals etc. of authorities and classification of all information available with the authorities.
- 3) Description of the terms and conditions under which any person can obtain from an authority, license, permit, grant, allocation, consent, approval or the description of any other facilities and description of such terms and conditions, that require the authority to make transactions or enter into agreements with him;
- 4) Description of all facilities in order to ensure the right to information of the citizens and the name, designation, address, and where applicable fax number and e-mail address of the Responsible Officer.

If an authority frames any important policy or takes any important decisions, then it must disclose these and if necessary, explain the reasons and causes in support of these policies and decisions.

Reports prepared by an Authority under this section shall be made available for public inspection free of charge and copies shall be kept for sale at a nominal price;

All publications made by an authority shall be made easily available to the public at a reasonable price;

The authorities shall publish and publicise matters of public interest through press releases or any other method;

The Information Commission through regulations shall lay down guidelines and directives to be followed by the authorities to publish, publicise and obtain information.

Responsible Officer: Section 10

- 1) One Responsible Officer must be nominated within 60 days from the notification of the Act by each authority established before and after the enactment of this Act for each "information providing unit". Also, all offices created by authorities after the notification of the Act must nominate one Responsible Officer in each office as well as in each of the newly created "information providing units".

- 2) Each authority shall inform the Information Commission, the names, designations, addresses and where applicable the fax numbers and e-mail addresses of the Responsible Officers within 15 days from the date of appointment.
- 3) Any other officer whose support is sought by the Responsible Officer while discharging his/her duty shall be bound to extend necessary help.
- 4) Any other officer, whose assistance has been sought by the Responsible Officer, shall render all assistance, and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as the Responsible Officer.

Duties of Responsible Officer: Section 9

- 1) The Responsible Officer should provide assistance to an applicant who is sensorily disabled to access records and also provide assistance in case of inspection;
- 2) Must inform the applicant the reasons for failing to provide the requested information within 10 working days;
- 3) In case the information sought is available with the Responsible Officer then he shall fix a reasonable price of that information and request the applicant to pay the amount within 5 working days;
- 4) If information sought has been supplied by third party or is treated as confidential by the third party, then the Responsible Officer must give written notice to the latter within 5 days of receiving the information request for written or oral opinion. The Responsible Officer shall take its representation into consideration and make a decision in respect of providing information to the applicant.

Application Procedure: Section 8

- 1) Apply in writing or electronically or by e-mail to the Responsible Officer;
- 2) In the application, the following information must be given:
 - Name, address, and where applicable fax number and e-mail address of the applicant;
 - Correct and clear description of the information sought;
 - Any other useful and related information that might help in locating the requested information;
 - Description of the method by which information is sought, namely by inspecting, taking photo copies, taking notes or any other approved method.
- 3) The information request can be made either in the form printed by the authority or in the prescribed format. However, if the forms are not printed or are not easily available or the format has not been prescribed, then the application can be written on a plain white paper by giving all the information mentioned above or can be sent through electronically or by e-mail;
- 4) The applicant will have to pay reasonable fees as may be prescribed by the Responsible Officer;
- 5) The government may in consultation with the Information Commission prescribe the application fees and if necessary the cost of information by notification in the official

gazette. The government may also exempt an individual or class of individuals or any other class from paying the fees.

Procedure and Time Limits for providing information: Section 9

- 1) Responsible Officer shall provide information within 20 working days from the date of receipt of application;
- 2) In case more than one “information providing unit” or authority is involved with the information requested, then information shall be given in 30 working days from the date of application;
- 3) In case the Responsible Officer rejects a request, then he must inform the applicant the decision and reasons for rejection within 10 working days from the date of application;
- 4) In case basic information concerning any person’s life or death, arrest and release from jail is sought then it must be given within 24 hours from receiving the request;
- 5) In case the requested information is available with the Responsible Officer then he must calculate the reasonable fee and inform the applicant to pay the fees within 5 working days. The fees for printed publications, information in electronic format or photocopies or print outs shall not be more than the actual costs;
- 6) No action on application within the specified time limits of 20 and 30 working days and 24 hours as mentioned above is a deemed refusal.

Appellate Authority and Appeals Mechanism: Section 2, 24

- 1) In case of the “information providing unit” the appellate authority is the administrative head of its immediate superior office. In case the unit does not have a superior office, then the appellate authority is the administrative head of that unit.
- 2) If any person is not given information within the time period specified in Section 9 or is aggrieved by the decision of the Responsible Officer, then he/she can appeal before the appellate authority within the next 30 days from receiving the decision or after the expiry of the time period;
- 3) If the appellate authority is satisfied that the appellant for justifiable reasons could not submit the appeal within the specified time period of 30 days then he may accept the appeal even after the expiry of that time;
- 4) The Appellate Authority shall within 15 days from the date of receiving the appeal:
 - Direct the concerned Responsible Officer to provide the requested information; or
 - Reject the appeal if it not fit for acceptance.
- 5) In case the Responsible Officer is directed to provide the information by the appellate authority, then he must provide the information within the time specified in Section 9 to the appellant.

Complaints Mechanism: Sections 25, 26

- 1) Any person for the following reasons may submit a complaint with the Information Commission:
 - a) As given in Section 13 (1) i.e.:

- Non-appointment of a Responsible Officer by an authority or refusal to accept applications for information;
- Refusal upon request for any information;
- Not being given either a response or the information requested within the specified time period as given in the Act;
- If the complainant is asked to pay a fee or is compelled to pay an amount of fee which he/she thinks are unreasonable;
- If the complainant feels that the information given is incomplete, false or misleading; and
- In respect of any other matter relating to requesting or obtaining information under this Act.

b) If the person is aggrieved by the decision on his appeal under Section 24;

c) If the person does not get the information from the Responsible Officer within the time limits specified i.e. 20 days (if information is sought from one unit), 30 days (if information is sought from more than one unit or authority) and 24 hours (information related to life and death or arrest and release from jail).

In case of point a) given above, a complaint can be filed with the Information Commission any time and in case of points b) and c) the complaint can be filed within 30 days from the date of getting a decision or as the case may be. If the Information Commission is satisfied that the complainant could not file the complaint due to reasonable causes within the specified time period, then the Commission can receive the complaint even after the expiry of the time period.

2) On the basis of a complaint, or if the Information Commission is satisfied that any authority or Responsible Officer has failed to carry out any function then the Commission has been given the powers to take action against the authority or the Responsible Officer;

3) The Chief Information Commissioner or if the responsibility is delegated to an Information Commissioner has the power to enquire into any complaints received. After the completion of the enquiry a decision-paper regarding the complaint shall be prepared within 30 days from receiving the complaint. This paper has to be presented before the Information Commission in the next meeting where the decision will be taken;

4) During the enquiry, any authority or the Responsible Officer against whose decision, the complaint is being made will be given a reasonable opportunity to be heard;

5) In case a third party is involved in the case of a complaint, then the third party will be given an opportunity to present his opinion;

6) Ordinarily the Information Commission shall take 45 days to dispose off a complaint from the date on which the complaint is received. However, in certain cases, the time could be extended if required, to complete the enquiry and depositions of the witnesses. However, the time limit for disposing a complaint shall not exceed more than 75 days including the extended time;

7) While taking a decision on a complaint, the Information Commission shall have the following powers:

(i) To direct the authority or the Responsible Officer to take the following steps:

- To provide the requested information in a specified particular manner;
 - To appoint Responsible Officers;
 - To publish any special information or special class of information;
 - To bring necessary changes in the procedures followed by the authority with regard to preservation, management or publication of information;
 - To impart better training on right to information for officers of Authorities;
 - To provide compensation to the complainant for any loss or other detriment suffered;
- (ii) To impose Penalty as provided in the Act;
- (iii) To uphold decisions of the authorities;
- (iv) To reject complaints;
- (v) Re-classification of information by the authorities;
- (vi) To interpret any matters relating to nature, classification, preservation, publication and supply of information as per the Act.

The decisions of the Information Commission in cases of complaints shall be binding on all concerned;

The decisions of the Information shall be communicated to all parties in writing;

The Information Commission shall through procedures prescribed in the regulations, take other steps in disposing complaints.

Representation before the Information Commission -The parties to a complaint may present their statements before the Commission either personally or through a lawyer.

Establishment and Composition of the Information Commission: Sections 11, 12

- 1) The Information Commission must be established within a maximum period of 90 days from the date on which the Act comes into force. It shall be an independent statutory body;
- 2) The Information Commission includes 1 Chief Information Commissioner and 2 other Information Commissioners of whom one person shall be a woman. The Chief Information Commissioner is the Chief Executive of the Commission.
- 3) The Headquarters of the Information Commission will be based in Dhaka. If needed, branch offices may be established in other parts of the country by the Commission.

Appointment Process, Qualifications and Terms of Service: Sections 14, 15, 17

Selection Committee

- 1) In order to provide recommendations for the appointment of the Chief Information Commissioner and the Information Commissioners a Selection Committee shall be constituted which includes the following 5 members:
 - A judge of the Appellate Division to be nominated by the Chief Justice, who shall be the Chairperson of the Committee;
 - Cabinet Secretary to the Government of the People's Republic of Bangladesh;
 - One member each from the ruling party and the opposition, nominated by the Speaker while the Parliament is in session;
 - A representative nominated by the Government from amongst journalists who have the capabilities/ qualifications to be an editor or from amongst the prominent members of society.
- 2) The Ministry of Information shall be responsible for constituting the Selection Committee and it shall also provide the necessary secretarial assistance. Presence of a minimum of 3 members will constitute the quorum for the Selection Committee meetings.
- 3) In order to appoint the Chief Information Commissioner and the Information Commissioners, the Selection Committee shall on the basis of majority decision of the members present at the meeting, recommend 2 names against each vacant post to the President. In case of a tie in the Selection Committee while voting, the Chairperson has the right to cast the deciding vote. The Selection Committee will decide the procedure of its meetings.

Appointment, tenure, salaries etc

- 1) The Chief Information Commissioner and Information Commissioners shall be appointed from persons having vast knowledge and experience in law, justice, journalism, education, science, technology, information, social work, management or public administration.
- 2) The Chief Information Commissioner and Information Commissioners shall be appointed by the President based on the recommendations of the Selection Committee.
- 3) The Chief Information Commissioner and Information Commissioners shall hold office for 5 years from date of appointment or till they attain the age of 67 years, whichever is earlier. Persons who are more than 67 years old are not eligible to be appointed as Chief Information Commissioner or Information Commissioners.
- 4) The Chief Information Commissioner and Information Commissioners are not eligible for reappointment for the same post. However, Information Commissioners shall not be ineligible for appointment to the post of Chief Information Commissioner.
- 5) In case of vacancy of the position of the Chief Information Commissioner or in case of his absence due to ill health or is unable to carry out his functions due to other reasons, or the newly appointed Chief Information Commissioner has not joined office, then the senior most Information Commissioner will take up the responsibilities of the Chief Information Commissioner.
- 6) The designation/rank, remuneration, allowances and other facilities shall be determined by the Government.

Removal of Chief Information Commissioners and Information Commissioners: Section 16

- 1) The Chief Information Commissioner and Information Commissioners can be removed due to the same reasons and procedures by which a Judge of the Supreme Court can be removed.
- 2) The President may order removal of the Chief Information Commissioner and Information Commissioners if the person –
 - a) Is adjudged insolvent by an appropriate court of law;
 - b) Engages in any paid employment outside the duties of his office;
 - c) Is adjudged a lunatic by an appropriate court of law;
 - d) Is convicted of an offence involving moral turpitude

Information Commission – Powers and Functions: Sections 13

Powers:

- 1) The Information Commission has the power to receive complaints from any person, inquire into and dispose off complaints received on the following issues -
 - a) Non-appointment of Responsible Officer by an authority or its refusal to accept requests for information;
 - b) Refusal upon request for any information;
 - c) Not being given either a response or the information requested for within the specified time period;
 - d) If the applicant is asked to pay a fee or is compelled to pay an amount of fee which he/she thinks are unreasonable;
 - e) If the applicant feels that the information given is incomplete, false or misleading;
 - f) In respect of any other matter relating to requesting or obtaining information under this ordinance.
- 2) Information Commission may on its own accord or upon a complaint, conduct an inquiry regarding a complaint made under the Act;
- 3) The Information Commission or the Chief Information Commissioner or Information Commissioners may exercise powers of Civil Court as per the Code of Civil Procedure 1908 in respect of following matters, namely -
 - a) summon and enforce attendance of persons, compel them to give oral or written evidence on oath and to produce documents or things;
 - b) Examine and inspect information;
 - c) Receive evidence on affidavit;
 - d) Requisition information from any office;
 - e) Issue summons for witnesses or documents; and

f) Any other matter which may be prescribed in the rules to fulfil the objectives of the Act.

4) While inquiring into a complaint, the Information Commission or the Chief Information Commissioner or Information Commissioners have the power to examine on spot any information kept in custody with any authority.

Functions:

The functions of the Information Commission include the following:

- Issue directives to authorities for preservation, management, publication, publicity and access to information;
- Prescribe the application procedure for accessing information from an authority and fix the appropriate price of information;
- Formulate and publish guidelines and directives for preservation and implementation of citizens' right to information;
- In order to preserve the right to information, consider the provisions recognised under the Constitution or any other law in force and provide recommendations to the Government for their effective implementation by indicating the impediments;
- Identify the impediments against the preservation and implementation of citizen's right to information and recommend appropriate solutions to the Government;
- Conduct research on agreements related to the right to information and other international instruments and documents and recommend to the Government for their implementation;
- Examine the similarities of various international instruments and existing laws on right to information, and in case of dissimilarities and in order to harmonize with the international instruments make suitable recommendations to the Government or the appropriate authority;
- Advise Government to ratify or sign any international instrument on right to information;
- Conduct research on preservation and implementation of right to information and provide support to educational and professional institutions for their implementation;
- Generate and increase awareness about the right to information amongst different sections of society through dissemination and publication of information and other methods;
- Advise and provide support to the Government to make the necessary laws and administrative directives for preservation and implementation of the right to information;
- Provide necessary advice and support to organizations and institutions working on right to information and the civil society;
- Conduct research and organize seminars, symposium, workshops and similar other measures to increase people's awareness on right to information and to disseminate the results obtained from the research ;
- Provide technical and other support to the authorities with the aim to ensure the right to information;

- Establish a web-portal for Bangladesh to ensure the right to information;
- Oversee the systems set up under any other law on right to information.

Information Commission Fund, Budget and Financial Independence of the Information Commission: Sections 19, 20, 21

An Information Commission Fund shall be constituted, the management and administration of which shall be vested in the Commission.

The salaries and allowances of the Chief Information Commissioner, Information Commissioners, the Secretary and the other officers and employees shall be borne from this fund in accordance with the terms and conditions of their service. Other expenses of the Commission shall also be borne from this fund.

The following money shall be deposited in the Information Commission Fund:

- Annual grant given by the Government;
- Grant given by any institution with the approval of the Government.

Every year the Information Commission shall within the time specified by the Government, submit an annual budget for the next financial year on the specified form for approval. It must specify the amount of money required by the Information Commission for that financial year. The government after considering the Information Commission's requisition will allocate specified amount. The Commission, however, need not take government's approval to spend the allocated money.

Officers and Employees of the Information Commission: Section 23

The Information Commission shall have a Secretary. In order to carry out its functions in an effective manner, the Commission shall also appoint as many officers and employees as may be necessary with approval from the government in respect of the organizational framework. The salaries, allowances and terms of employment of the Secretary and other officers and employees will be decided by the Government. Moreover, the Government on request from the Information Commission may depute its officers and employees with the Commission.

Information Commission's Annual Report: Section 30

- 1) The Information Commission shall submit an annual report to the President on the previous year's activities by 31 March each year.
- 2) Each report shall contain the following details:
 - Number of information requests received by each authority;
 - Number of decisions refusing requests for information to the applicants and description of the provisions in the Act under which these decisions were made;
 - The number of appeals filed against the decisions of the Responsible Officers and the results of these appeals;
 - Particulars of any disciplinary actions taken by the authorities against their officers;

- The amount of money collected by each authority;
 - Description of the various activities undertaken by the authorities;
 - Proposals for reform received from different authorities relating to ensuring right to information of citizens;
 - Number of complaints received by the Information Commission;
 - Description of the actions taken by the Information Commission in dealing with the complaints received;
 - Number of officers penalized by the Information Commission and the descriptions of such punishments;
 - The total amount of penalties imposed and the amount recovered by the Information Commission;
 - The instructions and regulations issued by the Information Commission;
 - The accounts of income and expenditure of the Information Commission;
 - Any other related information which the Information Commission considers necessary to be included in the report;
 - Recommendations made to the concerned authority to take measures in case it is noticed that a particular authority is not following the provisions of the Act.
- 3) The President after receiving the report shall place it before the National Parliament;
 - 4) The Information Commission shall publish and publicise the annual report through the mass media and the website;
 - 5) Every authority shall provide the necessary documents and other related assistance to the Information Commission as needed in preparing this report.

Penalty Provisions: Section 27

While deciding on a complaint, or if the Information Commissioner believes that for any reason given below, any Responsible Officer will be liable for fine of 50 Taka per day up to a maximum of 5,000/- Taka for –

- i) Refusing to accept an application or appeal without any reasonable cause;*
- ii) Not furnishing information or not taking a decision on this matter within the time specified;*
- iii) Malafidely denying the request for information or appeal;*
- iv) Instead of giving the information requested, giving incorrect, incomplete or misleading or distorted information and ;*
- v) Obstructing furnishing of information in any manner.*

The Information Commission has the power to impose this penalty from the date of the abovementioned actions till the date the information is provided. However, the Information Commission shall give the Responsible Officer a reasonable opportunity of being heard before the penalty is imposed on him.

In addition to the penalty, if the Information Commission is satisfied that the Responsible Officer creates impediments in providing information, it may recommend the concerned authority to take departmental action against such misconduct and request the authority to keep the commission informed about the actions taken.

In case of failure to recover the penalty or compensation from the Responsible Officer, then that amount can be recovered through such procedures as are applicable for recovery of land revenue in accordance with the provisions of the Public Demands Recovery Act, 1913.

Application of Limitation Act of 1908: Section 28

In case of appeals or complaints filed under this Act, the provisions of the Limitation Act, 1908 will be as far as possible be applicable.

Rules and Regulations Making Power: Section 33, 34

The Government in consultation with the Information Commission will frame the rules and notify in the official gazette. In case of the regulations, the Information Commission with prior approval of the Government will frame them and notify in the official gazette.

Power to Deal with removal of ambiguity: Section 35

If any ambiguity arises in implementing any provisions in the Act, then the Government through a notification in the official gazette and subject to consistency with the provisions in the Act shall remove such ambiguity.

Publication of a translated English version: Section 36

A translated English version of the Act will be made and in case of any conflict between the Bengali and English versions, the former shall prevail.

Repeal: Section 37

The Right to Information Ordinance 2008 is repealed. However, in spite of it being repealed all proceedings and systems accepted under the Ordinance will continue under the Act.

For further information please contact:

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