

PM-CARES Fund and RTI

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Relevance for UPSC exam

The Central Public Information Officer (CPIO), PMO refused to provide documents regarding the PM-CARES Fund stating that it is not a public authority under RTI Act. Further, it was declared that the PM-CARES is a body owned or controlled by the appropriate government as its trustees include the Prime Minister, Ministers of Defence, Home Affairs and Finance.

What is the PM-CARES Fund?

- The PMO through a press note announced the creation of a public charitable trust by the name of Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund (PM CARES Fund). The PMO further appealed to the citizens of the country to generously donate to the PM CARES Fund in light of severe health and economic ramifications of the COVID 19 pandemic, adding that the donations in the fund would qualify as CSR and be exempt from tax.

Cause of Conflict

- Declaration of PM-CARES as not being a public authority is a blow to transparency and accountability.
- The name, the composition of the trust, control, usage of emblem, government domain name everything signifies that it is a public authority. By simply ruling that it is not a public authority and denying the application on RTI Act, the government has constructed walls of secrecy around it.
- Questions have also been raised about the need for a creation of the Fund as the PM's National Relief Fund (PMNRF) already exists to receive donations for such emergencies.

- In some cases, the donations raised voluntarily for PMNRF too have been directed to the PM-CARES Fund by the administration.

RTI Act

- As per the RTI Act, a public authority means any authority, body or institution of self-government established or constituted a) by or under the constitution; b) by any other law made by parliament; c) by any other law made by the state legislature and d) by notification issued or order made by the appropriate government.
- It also includes body owned, controlled or substantially financed; non-governmental organisations substantially financed directly or indirectly by funds provided by the appropriate government.
- Right to Information Act 2005 mandates timely response to citizen requests for government information. Every government organisation is needed to appoint one employee as a public information officer (PIO).
- Once a department gets an RTI request, it is the responsibility of the PIO to furnish the information to the applicant within 30 days. Failing to do so means, a monetary fine can be imposed on the PIO. The longer a PIO makes an applicant wait, the more the penalty levied on him/her

Source: *The Wire, The Hindu*