

1. WRITE A SHORT NOTE ON WHISTLE BLOWERS ACT, 2011.

With a view to establishing a mechanism to receive complaints relating to disclosure on any corruption and misuse of power by public servants and providing adequate safeguards against victimization of person who make such complaints, the Whistleblowers Protection Act 2011 was enacted by the Union Parliament.

Salient Features

The Act makes provisions to protect the persons making public interest disclosure related to an act of corruption, misuse of power, or criminal offence by a public servant

It provides that any public servant or private individual or non-governmental organization can make such a disclosure to central or state vigilance commission. The complaint must include the identity of the complainant.

The identity of the discloser shall not be disclosed and in case of disclosure, the act provides for penalization.

The act, however, lays down punishment of up to two years in prison and a fine up to Rs. 30,000 for false or frivolous complaints.

The Act has been amended in 2015 which provides for do's and don'ts for the whistleblowers.

The bill has been criticized by RTI activists and anti-corruption crusaders. They say that the bill has created a huge area of exemptions and due to this, the state authorities would be out of reach to whistleblowers.

Exemptions of information under Official Secrets Act, 1923 is meant to dilute the Whistleblowers Protection Act and eventually turn the law into a dead-letter.