STUDY NOTES · BASIC CONCEPT

Which law governs the preservation, management, and public access to public records in India?

Polity & Governance

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Law Governing Preservation and Management of Public Records in India

- In India, the primary law related to the preservation, management, and access to public records is the Public Records Act, 1993.
- Public Records Act, 1993 – Detailed Explanation

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Objectives of the Act

- To ensure the systematic preservation of government records
- To prevent unauthorised destruction, loss, or misuse of records
- To organise, classify, and manage records of administrative and historical value
- To provide regulated public access to records for research and transparency

What Constitutes Public Records?

- Documents of the Central and State Governments
- Records of government departments, ministries, and offices
- Records of public sector undertakings and government bodies
- Official records related to constitutional authorities and high public offices, such as the Prime Minister

Key Provisions of the Act

Preservation of Records

- No public record can be destroyed or disposed of without proper authorisation
- Responsibility for safe custody of records is clearly defined

Records Management

- Mandates proper classification, cataloguing, and indexing of records
- Encourages both physical and digital record management practices

Public Access to Records

- Records may be opened to the public and researchers after a specified period
- Sensitive and classified records remain restricted as per law

Penal Provisions

- Prescribes penalties for unauthorised removal, alteration, or destruction of public records

Role of the National Archives of India

- The National Archives of India is the nodal institution under this Act
- It is responsible for preserving central government records
- It regulates the transfer and public access to records
- It provides technical guidance to state archives

Relationship with the Right to Information Act, 2005

- The RTI Act grants citizens the right to seek information
- The Public Records Act ensures proper preservation of records so that information remains accessible
- Together, they strengthen transparency and accountability in governance

Importance in a Democratic System

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- Protects the historical memory of the nation
- Enhances transparency and accountability in public administration
- Supports academic research and informed policymaking
- Treats public records as national heritage rather than private property