

FAQS UNDER RTI:

1. What is RTI?

RTI stands For Right to Information... It is a Fundamental Right of Indian citizens to seek information from govt. offices, departments, ministries, and all the organizations run by the Govt. of India, or any other organization substantially aided by the, Govt of India or any other state Govt .

2. How to file an RTI?

To file an RTI you just need to write an application on a blank plain paper in normal way addressed to the P.I.O of the concerned office.

3. What is the fees we have to pay for obtaining information?

Any person desirous of obtaining information shall make an applicant in Form-A or in any other format as far as possible containing the particulars specified under the format to the State Public Officer or State Assistant Public Information officer as the case may be along with an initial fee of Rs.10 with his application.

A person claiming exemption for the fees shall produce a valid certificate issued by the concerned authority that he/she belongs to below poverty line.

3. What type of Information can be taken?

Information means any material in any form , including records, documents, memos, emails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports,papers,samples,models,data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.

4. Who can seek information?

Anybody can seek information from any govt. organization across the Indian territory. And it is not necessary that the applicant who is seeking information should be, of the same state or Union territory, from where the information is sought.

5. What will happen to my application if I select a wrong Public Authority in the RTI request form?

In case the RTI application is not meant for the Public authority which has been selected by the applicant, the "Nodal Officer" of the said public authority would transfer the application to the "Nodal Officer" of the concerned Central Public authority under section 6(3) of the RTI Act.

6. Can i ask more than one subject matter in the RTI Format?

A request in writing for information under sec 6 of the Act shall relate in subject matter and it shall not ordinarily exceed one hundred and fifty words. If an applicant wishes to seek information more than one subject matter, he shall make separate applications. Ad per Notifcation from DPAR 2 RTI 2007 dt.13.2.2007 the request made relates to more than one subject matter, the public Information officer may respond to the relating to the first subject matter only and may advise the applicant to make separate application for each of the other subject matters.

7. Can any citizen ask any information that is more than 20 years old even if it does fall within the category of exemptions? Will the PIO be penalised if he /she is unable to provide such information?

Yes, any citizen can ask any information more than 20 years old held by or under the control of a public authority, irrespective of whether the information requested for falls within the category of exempted information or not. Nothing in the Act bars a citizen to ask for such information. The PIO concerned has to provide information 'held' under the control of the public authorities subject to the provisions of the Act relating to exemptions stipulated under the Act.

8. *What is the process for taking a decision on granting partial access to a record? Who is the authority to make this decision within a public authority?*

Section 10 (2)(b) of the RTI Act makes it clear that the PIO is the deciding authority for granting partial access to records that may contain exempted information. However, when partial information is disclosed the PIO needs to provide valid reasons for the decision. He also needs to mention his name and designation as the decision maker and the applicant's right with respect to the review of the decision, including the particulars of the AO, time limit, process etc. Only that part of the record which does not contain any information which is

exempt from disclosure and which can reasonably be severed from any part that contains exempt information, may be provided.

9. Can Government officers get access to Annual Confidential Reports (ACRs) under the RTI Act?

The assessment reports by the superior officers are personal and confidential information which are no relationship to any public activity or interest and therefore exempted under Section 8 (1)(j) of the RTI Act”.

10. How do I file an appeal with First Appellate Authority?

Any person who does not receive a decision within the time specified may be within thirty days from the receipt of application can go for appeal.

11. Do I need to make any payment for filing an appeal?

As per RTI Act, no fee has to be paid for first appeal.

12. What are the penalty provisions?

Every PIO will be liable for fine of Rs. 250 per day, up to a maximum of Rs. 25,000/-, for -

- i. not accepting an application;
- ii. delaying information release without reasonable cause;
- iii. malafidely denying information;
- iv. knowingly giving incomplete, incorrect, misleading information;
- v. destroying information that has been requested and
- vi. obstructing furnishing of information in any manner.

13. Is it enough to disseminate information under Section 4 (1)(b) on the Internet?

Information under Section 4 (1)(b) shall be disseminated through notice boards, news papers, public announcements, media broadcasts, the Internet or any other means.

14. Is it enough to publish information under Section 4 (1)(b) only once at the time of the commencement of the RTI Act?

No. The Act requires that every public authority has to update its publications under Section 4 (1)(b) every year. The Central / State Government / Departments

will have to come out with general instructions for time-bound updating of all categories of information, including formats for publication. Every public authority may in turn publish updated information that is specific to its functions following the guidelines.

15. What is the time limit under which information can be obtained under RTI act ?

Various time limits has been prescribed under which the information can be obtained under Right to Information Act. These time limits are prescribed by the Act itself, and failing which an RTI Applicant can approach appropriate authorities for relief.

Following are the various time limits specified in the RTI Act 2005.

For matters involving "Life and Liberty "of a person the time limit for the PIO to provide information is 48 Hours.

For PIO to reply to application 30 days from date of receipt of application

For PIO to transfer to another PIO under Sec 6(3) 5 days from date of receipt of application

For PIO to issue notice to 3rd Party 5 days from date of receipt of application

For 3rd Party to make a representation to PIO 10 days from receipt of notice from PIO

For PIO to reply to application if 3rd Party involved 40 days from date of receipt of application

For applicant to make First Appeal 30 days from date of receipt of PIO's reply or from date when reply was to be received

For First Appellate Authority to pass an order 30 days from receipt of First Appeal OR

Maximum 45 days, if reasons for delay are given in writing

For applicant to make Second Appeal before CIC/SIC 90 days from receipt of First Appeal orders or from the date when orders were to be received

For CIC/SIC to decide Second Appeal No time limit specified

3rd Party can be anyone other than the citizen applying for information.

15. Downloads- 9. Annual reports are updated.

11. Publications: Annual reports are updated. Annual Administration reports are to be updated.
