

FREQUENTLY ASKED QUESTIONS ON RTI

Q.1. What is information?

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

Q.2. What is a Public Authority?

Ans. A Public Authority is any authority or body or institution of self government established or constituted by or under the Constitution; or by any other law made by the Parliament or a State Legislature; or by notification issued or order made by the Central Government or a State Government. The bodies owned, controlled or substantially financed by the Central Government or a state government and non government organisations substantially financed by the Central Government or a state government also fall within the definition of Public Authority. The financing of the body or the NGO by the government may be direct or indirect.

Q.3 Who is a public information officer?

Ans. Public Authorities have designated some of its officers as Public Information Officer. They are responsible to give information to a person who seeks information under the RTI ACT.

Q.4 What is the fees for seeking information from State Government public authorities?

Ans. Rs.10/- is a prescribed fee for RTI application

If the applicant belongs to below poverty line category, he is not require to pay any fee however he should submit a proof in support of his claim to belong to the BPL category

Q.5 Is there any specific format of application?

Ans. There is no prescribed format of application for seeking information. The application can be made on plain paper .The application should, however, have the name and complete postal address of the applicant.

Q.6 Is it required to give any reason for seeking information?

Ans. The information seeker is not required to give reasons for seeking information.

Q.7 What is the method of seeking information?

Ans. A citizen who desires to obtain any information under the Act should make an application to the PIO of the concern public authority in writing in English or Hindi or in the official language of the area in which the application is made. The application should be precise and specific. He should make payment of application fee at the time of submitting the application as per prescribed fees.

Q.8 Is there any provision for exemption from disclosure of information?

Ans. Sub section (1) of the section 8 and section 9 of the Act enumerate the types of information which is exempt from disclosure. Sub section (2) of the section 8, however, provides that information exempted under sub section (1) or exempted under the Official Secretes Act, 1923 can be disclosed if public interest in disclosure overweighs the harm the protected interest.

Q.9. Is there any assistance available to the applicant for filling RTI application?

Ans. If a person is unable to make request in writing he may seek the help of the public information officer to write his application and the PIO should render him reasonable assistance. Where a decision is taken to give access to a sensorily disabled person to any document the PIO shall provide such assistance to the person as may be appropriate for inspection.

Q.10 What is the time period for supply of information?

Ans. In normal course information to an applicant shall be supplied within 30 days from the receipt of application by the public authority. If information sought concerns the life or liberty of a person, it shall be supplied within 48 hours

Q.11 Is there any provision of appeal under the RTI act?

Ans. If an applicant is not supplied information within the prescribed time of 30 days or 48 hours, as the case may be, or is not satisfied with the information furnish to him, he may prefer an appeal to the first appellate authority who is an officer senior in rank to the PIO. Such an appeal should be filled within a period of 30 days from the date on which the limit of 30 days of supply of information is expired or from the date on which the information or decision of the PIO is received. The appellate authority of the public authority shall dispose of the

appeal within a period of 30 days or in exceptional cases within 45 days of the receipt of the appeal

Q.12 Is there any scope for second appeal under the RTI ACT?

Ans. If the first appellate authority fails to pass an order on the appeal within the prescribed period or if the appellant is not satisfied with the order of the first appellate authority, he may prefer a second appeal with the State Information Commission within 90 days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant.

Q.13 Whether Complaints can be made under this Act? if yes, under what conditions?

Ans. If any person is unable to submit a request to a public information officer either by reason that such an officer has not been appointed by the concerned public authority, or he has been refused access to any information requested by him under the RTI Act or he has not been given a response to a request for information within the time limit specified in the Act or he has been required to pay an amount of fee which he considers unreasonable or he believes that he has been given incomplete misleading or false information, he can make a complaint to the information commission.

Q.14 What is the third party information?

Ans. Third party in relation to the Act means a person other than the citizen who has made request for information the definition of third party includes a public authority other than the public authority to which the request has been made.

Q.15 Is there any organisation (s) exempt from providing information under RTI Act?

Ans. Yes, certain intelligence and security organisations specified in the second scheduled are exempted from providing information excepting the information pertaining to the allegations of corruption and human rights violations.