1. Define Information as per RTI Act 2005 or

## **What type of information may be obtained under the RTI Act?**

Ans.

The type of information which may be obtained is defined under section 2 (f) of the Act as any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, log books,   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.

1. What are the penalty awarded upon an information officer under RTI Act 2005 for failure to provide information within prescribed time limit?

Answer

As per Section 20(1) of the RTI Act, the CIC or the SIC, has the powers to impose a penalty on the PIO, while deciding on a complaint or a second appeal.

The amount of penalty shall be Rs. 250.00 per day, till the information is furnished or the application is received, subject to a maximum of Rs. 25,000.00. The penalty has to be paid by the PIO from his salary and not by the Public Authority. The CIC or the SIC will give the PIO a reasonable opportunity to be heard before the penalty is imposed. However the burden of proving that he acted reasonably shall be on the PIO.

Under Section 20(2) of the RTI Act, the CIC or the SIC can also recommend disciplinary action as per the service rules applicable to the PIO

1. What are the grounds under which an information officer can be penalised for information as per RTI Act 2005?

Ans..

The penalty can be imposed, if the PIO has:

1. to receive an application
2. furnished the requested information within 30 days of receiving the application
3. denied the request for information
4. , incomplete or misleading information
5. Destroyed the information which was the subject of the request
6. in any manner, in furnishing the information
7. what are the Information exempted from disclosure by public authorities as per RTI Act 2005?

Ans....

A citizen may not be provided the following information unless s/he convinces the Public Information Officer that the public interest in disclosure outweighs any other interests served by non-disclosure (partial access may be provided to the part of the record which does not contain information exempted from disclosure).

1. information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence
2. information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court
3. information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature
4. information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information
5. information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information
6. information received in confidence from foreign Government
7. information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes
8. information which would impede the process of investigation or apprehension or prosecution of offenders
9. cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers Provided that the decisions of Council of Ministers, the reasons thereof, and the material on the basis of which the decisions were taken shall be made public after the decision has been taken, and the matter is complete, or over; provided further that those matters which come under the exemptions specified in this section shall not be disclosed.

### Who can use RTI Act 2005?

Any Indian citizen without any minimum and maximum age limit can submit request for information under RTI Act.