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