

**“Annexure ”**  
**FREQUENTLY ASKED QUESTIONS (FAQs) ON RTI**

**Q.1. What is Information?**

Information is any material in any form. It includes records, documents, memos, e-mails, 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?**

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.

**Q.3 What is a Central Public Information Officer?**

Public authorities have designated some of its officers as Central Public Information Officer. They are responsible to give information to a person who seeks information under the RTI Act. In our bank Regional Head's, DZM's are designated CPIO for respective jurisdiction of RO & ZO's, In charge of Branch CFB, SAM, ARB Branches and Mumbai Main office & DGM- HRD & DGM Vigilance Department are also designated CPIO's.

**Q.4 What is an Assistant Public Information Officer(CAPIO) ?**

These are the officers at next lower level to whom a person can give his RTI application or appeal. These officers send the application or appeal to the Central Public Information Officer of the public authority or the concerned Appellate Authority. The Assistant Public Information Officers (AGM's) are working in CO are designated CAPIO for assisting to all the Central Public Information officer.

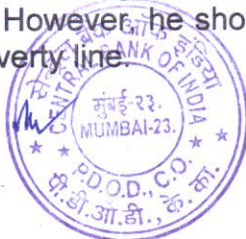
**Q.5. What is the Fee for Seeking Information from Central Government Public Authorities?**

A person who desires to seek some information from a Central Government Public Authority is required to send, along with the application, a demand draft or a banker's cheque or an Indian Postal Order of Rs.10/-(Rupees ten), payable to the public authority/CPIO as fee prescribed for seeking information. The payment of fee can also be made by way of cash to the any of our branch of the bank or to the Assistant Public Information Officer against proper receipt. However, the RTI Fee and the mode of payment may vary as per Section 27 and Section 28, of the RTI Act, 2005 the appropriate Government and the competent authority, respectively, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

**Q.6. What is the Fee for the BPL applicant for Seeking Information?**

If the applicant belongs to Below Poverty Line (BPL) category, he is not required to pay any fee. However, he should submit a proof in support of his claim to belong to the below poverty line.

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**Q.7. Is there any specific Format of Application?**

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. The application can be made online application also at [rtionline.gov.in](http://rtionline.gov.in)

**Q.8. Is it required to give any reason for seeking information?**

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

**Q.9. Is there any provision for exemption from Disclosure of Information?**

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

**Q.10. Method to supply of Information**

The answering CPIO should check whether the information sought or a part thereof is exempt from disclosure under section 8 or Section 9 of the Act. Request in respect of the part of the application which is so exempt may be rejected and rest of the information should be provided immediately or after receipt of additional fees, as the case may be.

Where a request for information is rejected, the Central Public Information Officer should communicate to the person making the request- (i) the reasons for such rejection;

- (ii) the period within which an appeal against such rejection may be preferred; and
- (iii) the particulars of the authority to whom an appeal can be made.

**Q.11. Is there any assistance available to the Applicant for filing RTI application?**

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

**Q.12. What is the Time Period for Supply of Information?**

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. In case the application is sent through the Assistant Public Information Officer or it is sent to a wrong public authority, five days shall be added to the period of thirty days or 48 hours, as the case may be.

**Q.13. Is there any provision of Appeal under the RTI Act?**

If an applicant is not supplied information within the prescribed time of thirty days or 48 hours, as the case may be, or is not satisfied with the information furnished to





him/her, he/she may prefer an appeal to the First Appellate Authority who is an officer senior in rank to the Public Information Officer. Such an appeal, should be filed within a period of thirty 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 Public Information Officer is received. The appellate authority of the public authority shall dispose of the appeal within a period of thirty days or in exceptional cases within 45 days of the receipt of the appeal.

In our bank, All the Zonal Heads are designated First Appellate Authority under RTI Act for their respective Jurisdiction and General Manager, PDOD is designated First Appellate Authority for all CPIO's of Central Office.

**Q.14. Is there any scope for second appeal under the RTI Act?**

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 Central Information Commission within ninety days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant.

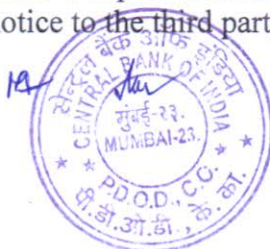
**Q.15. Whether Complaints can be made under this Act? If yes, under what conditions?**

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 the Assistant Public Information Officer has refused to accept his or her application or appeal for forwarding the same to the Public Information Officer or the appellate authority, as the case may be; 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.16. What is Third Party Information?**

"Third Party" is defined under the Act to mean a person other than the citizen making a request for information and the public authority to which the request is made. It could be a private individual or a public authority requires that if the information sought by the citizen pertains to a record or part thereof relates to, or has been supplied by a third party and if it is not treated as confidential by that third party, the CPIO is at liberty to provide the same to the applicant. If, however such above information is treated as 'confidential' by that third party, the following steps will have to be taken:

- The CPIO gives a written notice to the third party, within 5 days of receipt of the application, and conveys his intention to disclose the information or record while requiring the third party to make a submission, within 10 days from the date of receipt of such notice, regarding whether the information should be disclosed or not.
- The third party should, within 10 days from the date of receipt of notice from the CPIO, make a representation in writing or orally against the proposed disclosure and give written notice to the third party.





- The CPIO can, within 40 days after the receipt of application for information, if the third party has been given an opportunity to make representation, make a decision on disclosure and give a written notice to the third party.
- The third party is entitled to prefer an appeal against the decision of the CPIO. Except in the case of "trade or commercial secrets protected by law", disclosures involving third party information may be allowed, if the public interest in disclosure outweighs the importance of any possible harm or injury to the interests of such third party. If the third party is a private individual, the CPIO has to be very cautious and properly weigh the consequences as privacy of an individual is important and protected under Section 8 (1) (j). (Pl also refer to Section 11 of RTI Act 2005.)

#### **Q.17. What is the Method of Seeking Information?**

A citizen, who desires to obtain any information under the Act, should make an application to the Public Information Officer of the concerned 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 prescribed in the Fee Rules.

#### **Q.18. RTI ONLINE Procedure**

Department of Personnel & Training has launched a web portal namely RTI online with URL [www.rtionline.gov.in](http://www.rtionline.gov.in) for all Central Ministries/Departments. This is a facility for the Indian citizens to file RTI applications and first appeals online to all Central Ministries/Departments including PSU the prescribed RTI fees can also be paid online. Reply to the RTI applications and first appeals received online can also be given online by the respective CPIOs/FAAs.

**In our bank all CPIO's and FAA under RTI Act are having user ID to login on the RTI portal. (RTIMIS: [www.rtionline.gov.in](http://www.rtionline.gov.in))**

Our bank's website has also a link to the webpage.

#### **Q.19 Compliance of the Orders of the Information Commission**

The decisions of the Commission are binding. The public authority should ensure that the orders passed by the Commission are implemented. If any public authority or a CPIO is of the view that an order of the Commission is not in consonance with the provisions of the Act, it may approach the High Court by way of a Writ Petition. Said order should be implemented within time line given by the Hon'ble Commission, if same has not been challenged before appropriate Court.

#### **Q.20 Transfer of applications under the provision of RTI Act.**

The Act provides that if an application is made to a public authority requesting for an information, which is held by another public authority; or the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or relevant part of it to that other public authority within five days from the receipt of the application. **The public authority should sensitize its officers about this provision of the Act lest the public authority is held responsible for delay.**





Further, If a person makes an application to a public authority for information, a part of which is available with that public authority and the rest of the information is Scattered with more than one other public authorities, in such a case, the PIO of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them.

If no part of the information sought, is available with it but is scattered with more than one other public authorities, the PIO should inform the applicant that information is not available with the public authority and that the applicant should make separate applications to the concerned public authorities for obtaining information from them. However, if the details of public authorities who may have the information sought by the applicant are available with the PIO, such details may also be provided to the applicant.

#### **Q.21 Imposition of Penalty under RTI Act.**

An applicant under the Act has a right to appeal to the Information Commission and also to make complaint to the Commission. Where the Information Commission at the time of deciding any complaint or appeal is of the opinion that the Public Information Officer has without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished subject to the condition that the total amount of such penalty shall not exceed twenty-five thousand rupees. The Public Information Officer shall, however, be given a reasonable opportunity of being heard before any penalty is imposed on him. The burden of proving that he acted reasonably and diligently and in case of denial of a request that such denial was justified shall be on the Public Information Officer.

#### **Q.22 Disciplinary Action against CPIO under RTI Act.**

Where the Information Commission at the time of deciding any complaint or appeal is of the opinion that the Public Information Officer/CPIO has without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it may recommend disciplinary action against the Public Information Officer.

(For detailed information, please refer RTI Act of 2005)

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