

COMPILATION OF SUGGESTION RECEIVED TILL 10 JUNE 2005 ON RTI 2005 RULES

Proposed Rules

As passed by Lok Sabha on 11 May 2005
THE RIGHT TO INFORMATION BILL, 2005

A Bill

to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commission and for matters connected therewith or incidental thereto;

WHEREAS the Constitution of India has established democratic Republic;

AND WHEREAS democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed;

AND WHEREAS revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information;

AND WHEREAS it is necessary to harmonise these conflicting interests while preserving the paramountcy of the democratic ideal;

NOW, THEREFORE, it is expedient to provide for furnishing certain information to citizens who desire to have it
BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:-

CHAPTER I PRELIMINARY

1. (1) This Act may be called the Right to Information Act, 2005.

(2) It extends to the whole of India except the State of Jammu and Kashmir

(3) The provisions of sub-section (1) of section 4, sub-section (1) and (2) of section 5, section 12, 13, 15, 16, 24 27 and 28 shall come into force at once, and the remaining provisions of this Act shall come into force on the one hundred and twentieth day of its enactment.

2. In this Act, unless the context otherwise requires,

(a) "appropriate Government" means in relation to a public authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly -

(i) by the Central Government or a Union, territory administration, the Central Government;

(ii) by the State Government, the State Government;

(b) "Central Information Commission" means the Central Information Commission constituted under sub-section (1) of section 12;

(c) "Central Public Information Officer" means the Central Public Information Officer designated under sub-section (1) and includes a Central Assistant Public Information Officer designated as such under sub-section (2) of section 5;

(d) "Chief Information Commissioner" and "Information Commissioner" mean the Chief Information Commissioner and Information Commissioner appointed under sub-section (3) of section 12;

(e) "competent authority" means

(i) the Speaker in the case of the House of the People or the Legislative Assembly of a state or a Union territory having such Assembly and the Chairman in the case of

the Council of States or a Legislative Council of States”;	
(ii) The Chief Justice of India in the case of the Supreme Court;	
(iii) The Chief Justice of the High Court in the case of the High Court;	
(iv) the President or the Governor as the case may be, in the case of other authorities established or constituted by or under the Constitution”;	
(v) the administrator appointed under article 239 of the Constitution;	
(f) “information” means any material in any form, including records, documents, memos, e-mails, 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;	
g) “prescribed” means prescribed by rules made under this Act by the Government or the competent authority, as the case may be;	
h) “public authority” means any authority or body or institution of self government established or constituted,—	
(a) by or under the Constitution ;	
(b) by any other law made by Parliament;	
(c) by any other law made by State Legislature;	
(d) by notification issued or order made by the appropriate Government” and includes any—	
(i) body owned, controlled or substantially financed;	
(ii) non-Government organisation substantially financed, directly or indirectly by funds provided by the appropriate Government.”	

1) "record" includes	
(i) any document, manuscript and file;	
(ii) any microfilm, microfiche and facsimile copy of a document;	
(iii) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and,	
(iv) any other material produced by a computer or any other device;	
(i) "right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to-	
(i) inspection of work, documents, records;	
(ii) taking notes, extracts, or certified copies of documents or records;	
(iii) taking certified samples of material;	2 (j) (iii) - Where an application is made for taking a sample or inspecting a record or public works, the PIO shall intimate the date, time and venue when the applicant and/or his/her authorised representative(s) can obtain a sample of material or inspect information or works. - In accordance with s.7(1), the date for providing a sample and/or permitting inspection shall not exceed 30 days from the date of receipt of application, unless the applicant requests a later date for inspection. - The applicant may bring along anyone (not exceeding at any time two persons in addition to the applicant/the authorized person), to help him/her when taking a sample or making an inspection. The applicant can also authorise, in writing, another person to take the sample/inspect records/ inspect works on his/her behalf, and the person so authorized shall have all the rights that an applicant has under this act. - If the applicant desires to take copies of any parts of the records inspected by him/her or a sample of the work inspected by him/her, he/she may request such copies/samples without having to make an additional application and the PIO shall provide such copies/samples within 5 days, subject to payment of the prescribed fees. - The PIO shall ensure that appropriate seating and lighting arrangements are made for the applicant and accompanying persons to allow proper inspection of documents. Similarly, proper arrangements must also be made to facilitate the inspection of works and the taking of samples. For Samples: The sample shall be provided to the applicant in the same manner and following the same procedure as followed when the sample is taken by a vigilance or an investigating agency. Specifically: - The sample should be collected in the presence of the applicant by the concerned authorities at a date and time mutually convenient to both parties, but within the time limit specified under the law, unless the applicant has specifically asked for, in writing, for a later time..

(iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device, .	b. Where the applicant so desires, the sample should be collected from the specific spot/batch/container etc. determined by the applicant. However, if the concerned department/agency thinks fit, they can also collect a second sample in the presence of the applicant and keep it for their own records. c. If the applicant so desires, the samples so obtained should be sealed in his/her presence, certified by both the applicant and the authorities to be true samples of the work, and handed over to him/her, so that there is proper identification of the sample if and when it is submitted for testing to a laboratory. 7. For Records: The PIO shall ensure that all the records sought by the applicant are available for inspection during the inspection. At the time of inspection, at least one official should be present to allow inspection and to be able to reply to the queries of the applicant. 1. As far as possible, electronic information should be given in a read only format and, where available, with an electronic signature so that the authenticity of the information cannot be compromised. 2. Each public authority should make public and widely disseminate information regarding the facilities available with them for providing access to information, like for example computer, cd writer, tape writer, facility for read only format, electronic signature. 3. In case the storage device (floppy, CD etc.) is faulty and/or cannot be read properly by the applicant, a new storage device would be provided within 48 hours of the complaint and without any further charges.
g) "State Information Commission" means the State Information Commission constituted under sub-section (1) of section 15 ;	
h) "State Chief Information Commissioner " and "State Information Commissioner" mean the State Chief Information Commissioner and the State Information Commissioner appointed under sub-section (3) of section 15 ;	
i) "State Public Information Officer" means the State Public Information Officer designated under sub section (1) and includes an State Assistant Public Information Officer designated as such under sub section (2) of section 5;	
j) "third party" means a person other than the citizen making a request for information and includes a public authority.	

CHAPTER II
RIGHT TO INFORMATION AND OBLIGATIONS OF
PUBLIC AUTHORITIES

3. Subject to the provisions of this Act, all citizens shall have the right to information

4. (1) Every public authority shall

(a) maintain all its records duly catalogued and indexed in a manner and form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;

(b) publish within one hundred and twenty days from the enactment of this Act,-

4(1)(a)

1. The appropriate Information Commission should, within three months of the act coming into force, seek an Automation Plan from the public authorities for the purpose of implementation of the provisions of the Act and thereafter, monitor it and ensure its implementation within a reasonable time and subject to availability of resources.
2. The Automation Plan referred to in sub-rule (a) would provide for the automation preferably within a period of three years.
3. Such Automation Plan would be made public and a Progress Statement would also be made available to the public every six months.

4(1)(b)

1. Every Public Authority shall designate one or more officers to be responsible for the publication of information, as required under this section.
2. Every public authority in every office and administrative unit shall designate one computer that can be used by the public to access information on the internet which is required to be published under section 4(1)(b) of the Act.
3. The public authority shall *suo moto* publish information as per section 4(1)(b) of the Act as follows, and in a user friendly manner:

Clause 4(1)(b)	Particulars of information	Minimum Form*
(i)	Particulars of its organisation, functions and duties;	Noticeboard, hard copy in every office/unit; internet

(ii)	Powers and duties of its officers and employees;	Hard copy in every office/unit; internet
(iii)	Procedure followed in the decision making process, including channels of supervision and accountability;	Hard copy in every office/unit; internet
(iv)	Norms set by it for the discharge of its functions;	Hard copy in every office/unit; internet
(v)	Rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;	Hard copy in every office/unit; internet
(vi)	Statement of the categories of documents that are held by it or under its control;	Hard copy in every office/unit; internet
(vii)	Particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;	Hard copy in every office/unit; internet
(viii)	Statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advise, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;	Hard copy in every office/unit; internet
(ix)	Directory of its officers and employees;	Hard copy in every office/unit; internet
(x)	Monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;	Hard copy in every office/unit; internet

- (i) the particulars of its organisation, functions and duties;
- (ii) the powers and duties of its officers and employees;

(xi)	Budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;	Hard copy in every office/unit; Notice board in relation to budget for local area; Internet
(xii)	Manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;	Hard copy in every office/unit as pertains to subsidy programmes administered by that public authority; Collated copy of all such information on the internet
(xiii)	Particulars of recipients of concessions, permits or authorisations granted by it;	Hard copy in every office/unit as pertains to subsidy programmes administered by that public authority; Collated copy of all such information on the internet
(xiv)	Details in respect of the information, available to or held by it, reduced in an electronic form;	Internet, Notice board
(xv)	Particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;	Notice board, internet, regular updates through the media
(xvi)	Names, designations and other particulars of the Public Information Officers;	Noticeboard, internet, regular updates through the media

These Rules prescribed the minimum requirements. However, reference must be made to section 4(2), (3) and (4) for further guidance on publication obligations.

(iii)	the procedure followed in the decision making process, including channels of supervision and accountability;	
(iv)	the norms set by it for the discharge of its functions;	
(v)	the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;	
(vi)	a statement of the categories of documents that are held by it or under its control;	
(vii)	the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;	
(viii)	a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advise, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;	
(ix)	a directory of its officers and employees;	
(x)	the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;	
(xi)	the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;	

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(xv)	the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;										
(xvi)	the names, designations and other particulars of the Public Information Officers;										
(xvii)	such other information as may be prescribed;	4(1)(b)(xvii) 1. In accordance with this clause, the following additional information must be proactively published: <table border="1"> <thead> <tr> <th>Particulars of information</th><th>Minimum Updating</th><th>Minimum Form</th></tr> </thead> <tbody> <tr> <td>Names, designations, contact details and other particulars of the Appellate Authorities; Organisational chart of the public authority</td><td>1 month</td><td>On a noticeboard in every office of every public authority & on the internet</td></tr> <tr> <td>Names, designations, contact details and other particulars of the Information Commission and Commissioners:</td><td>1 month</td><td>On a noticeboard in every office of every public authority & on the internet</td></tr> </tbody> </table>	Particulars of information	Minimum Updating	Minimum Form	Names, designations, contact details and other particulars of the Appellate Authorities; Organisational chart of the public authority	1 month	On a noticeboard in every office of every public authority & on the internet	Names, designations, contact details and other particulars of the Information Commission and Commissioners:	1 month	On a noticeboard in every office of every public authority & on the internet
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Names, designations, contact details and other particulars of the Appellate Authorities; Organisational chart of the public authority	1 month	On a noticeboard in every office of every public authority & on the internet									
Names, designations, contact details and other particulars of the Information Commission and Commissioners:	1 month	On a noticeboard in every office of every public authority & on the internet									

A collated list of all of the applications received by the Government in the preceding month, including: (i) The name of the Department which received the request (ii) The documents/Information requested; (iii) Date of the request.	1 month	On the internet and in every office/unit a list of the application received by them must be kept for inspection.
All contracts entered into by public authorities, detailing at a minimum for each contract: (iv) The public works, goods acquired or rented, and the contracted service, including any sketches, scopes of service and/or terms of reference; (v) The amount; (vi) The name of the provider, contractor or individual to whom the contract has been granted, and (vii) The periods within which the contract must be completed. (viii) Comparative statement of technical and financial bids received.	Within 2 weeks of signing the contract	On the internet. Also, where the contract relates to public works in relation to a particular area, a hard copy in a location easily accessible to the public of that area, like a panchayat house, public library or some other such location Head of the public authority shall be personally responsible for ensuring that information relating to all contracts entered into in any month is available on the internet by the 1st of the following month. These records (including copies of the contract) should be open for public audit and inspection at pre-declared hours every week. Any

		citizen should be able to inspect these records during these hours without any prior intimation or application and without payment of any fee.
The citizen's charter for each public authority	12 months	On a noticeboard in every office of every public authority & on the internet
The eligibility criteria, and the process of identification of recipients, of subsidies, being offered by the authority	3 months	On a noticeboard in every office of every public authority & on the internet
The eligibility criteria, and the process of identification of recipients, of grants or loans, being offered by the authority	3 months	On a noticeboard in every office of every public authority & on the internet

- Names, designations and contacts details of all PIOs, Appellate Authorities and Information Commissions must be published at least annually in every telephone directory.
- In accordance with Clause 4(1)(b)(xvii), every 3 months every public authority shall make an assessment of the kind of information sought by the public in the previous quarter, and where it is identified that certain information has been requested more than 10 times, said information shall be made available to the public suo moto by the government.
- Where there is a public demand for the type of information that is not ordinarily collected by public authorities, the head of that public authority should start collecting that information, as long as it is pertinent to the authority and is not exempt from disclosure under this act.
- Similarly, if pertinent information is repeatedly requested for in a form that it is not usually being collected in, then the public authority should start collecting that information also.
- The Head of the public authority shall be personally responsible for ensuring that all the designated officers under his/her authority have complied with the publication provisions of the Act.
- Each Ministry/Department of the appropriate government shall publish and widely disseminate the list of public authorities set up by it or directly or indirectly funded by it, as per the provisions of subsection (h) of section 2.

and thereafter update these publications every year;	
(c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;	4(1)(c) 1. Each public authority shall publish, prior to the formulation of a policy or the taking of a decision that affects the public, the details of the proposed policy/decision and all the relevant facts. It would also periodically, and at least once in three months, publicly list all such decisions taken and policies formulated.
(d) provide reasons for its administrative or quasi judicial decisions to affected persons;	4(1)(d) 1. Each public authority shall publish, within two weeks of taking an administrative or quasi judicial decision has been taken, the details of, and the reasons behind, the decision.
(2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information <i>suo moto</i> to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.	4(2) 1. Every six months every public authority shall make an assessment of the kind of information sought by the public in the preceding six months. The type of information that is repeatedly sought shall start being made available within three months to the public <i>suo moto</i> . Apart from making such information available on the net and through other means, where public records are involved, such records should be thrown open for public audit and inspection at pre-declared hours every day. Any person from the public should be able to inspect these records during these hours without any prior intimation or application and without payment of any fee.
(3) For the purpose of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.	
(4) All materials shall be disseminated taking into consideration the cost, effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Central Public Information Officer, or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribe	
<i>Explanation:</i> For the purposes of sub sections (3) and (4), "disseminated" means making known or communicated" the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.	

(1) Every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as Central Public Information Officers or State Public Information Officers, as the case may be in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.

(2) Without prejudice to the provisions of sub-section (1), every public authority shall designate an officer, within one hundred days of the enactment of this Act, at each sub divisional level or other sub-district level as a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be, to receive the applications for information or appeals under this Act for forwarding the same forthwith to the Central Public Information Officer or the State Public Information Officer or senior officer specified under sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be.

5(1)

1. Till such time as a PIO is appointed by a public authority, the Head of that public authority shall be treated to be the deemed PIO for the purposes of this Act. This could be the Secretary or the Chief Executive Officer or the Director or any other person holding highest position in that authority.
2. The PIO in government agencies should ordinarily be a class 1 officer, second or third in seniority in the department. This is to ensure easy access to information and also accountability at a senior level for implementing the act. Where there are no class 1 officers or only one class one officer in a department, the PIO should be at least a gazetted class 2 officer.
3. Every Public Authority shall prepare a list of all the Public Information Officers designated from time to time. Each PIO should have clear geographical and functional jurisdictions, which should be communicated to all applicants.
4. The list shall also contain the names, designations, addresses of and the administrative units and offices under such public information officers.
5. The list prepared by the Public Authority under sub-rule (1) shall be kept available for information of general public at all administrative units and offices under such Authority and shall be made known or communicated to the public through press notes released to the media, public announcements, media broadcast, the internet or any other means.

5(2)

1. Wherever feasible, one officer per sub-district level can be designated as an APIO to receive applications/appeals pertaining to all public authorities of the state government. This APIO should be from among the gazetted class 1 or class 2 state government officers posted in the sub district level. It must be ensured that the APIO is an officer who is accessible and who the people would feel comfortable to approach for the purpose.
2. Similarly, one officer per sub district level can be designated as an APIO to receive applications/appeals pertaining to all public authorities of the Central Government. This APIO should be from among the gazetted class 1 or class 2 Central Government officers posted in the sub district level. It must be ensured that the APIO is an officer who is accessible and who the people would feel comfortable to approach for the purpose. Where no Central Government officer is available, an appropriate state official should be authorised to accept and pass on requests and appeals pertaining to Central Government Public Authorities.

	3. In a city/town or village where there are no designated PIOs or APIOs, all gazetted officers of the state government posted there would have the obligation to accept requests/appeals, along with the required fees and communicate these to the nearest PIO/APIO. However, the official receipt for the fee would be issued by the receiving PIO/APIO.
Provided that where an application for information or appeal is given to a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be, a period of five days shall be added in computing the period for response specified under sub-section (1) of section 7. (3) Every Central Public Information Officer or State Public Information Officer, as the case may be, shall deal with requests from persons seeking information and render reasonable assistance to the persons seeking such information.	5(3) 1. The rendering of reasonable assistance would include, but not be limited to, helping the applicant to draft an application in a manner such that the request for information could be understood and acceded to.
(4) The Central Public Information Officer or State Public Information Officer, as the case may be, may seek the assistance of any other officer as he or she considers it necessary for the proper discharge of his or her duties.	5(4) 1. Where such assistance is sought, to trace or forward required information/document/samples etc, arrange inspections, or for the transmission of requests or appeals, the PIO/APIO must give, as far as possible, the request in writing specifying that this is a request under section 5(4) of this act. Where it might not be possible to give such a request in writing, the oral request must at the earliest opportunity be reduced to writing and forwarded to the concerned official, provided that the concerned official would be deemed to have been asked for assistance from the time and date that the request was first conveyed orally. 2. Also provided that no PIO/APIO can seek assistance under this clause for any work that is legitimately that of the PIO/APIO, unless permission has been got from the controlling officer of the PIO/APIO and from the controlling officer of the officer whose assistance has been sought.
(5) Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any conveyance of the	

provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be .

(1) A person, who desires to obtain any information under this Act, shall make a request in writing or through electronic means in English or Hindi in the official language of the area in which the application is being made, accompanying such fee as may be prescribed, to -

6(1)

1. Any person, desirous of obtaining information as provided under the provisions of the Act, shall make an application in writing, in the prescribed form, as specified below, to the concerned Public Information Officer or the Assistant Public Information officer, as the case may be, in English or Hindi or in the official language of the state in which the application is being made;
2. Any person seeking information under this Act shall make an application
 - a. in Form 'B' for inspecting any document
 - b. in Form 'C' for seeking inspection of any work
 - c. in Form 'D' for taking sample of material
 - d. in Form 'A' for any other information
3. The form can be photocopied, or typed or even hand written.
4. A fee of Rs. 10 is required to be deposited with every such application made under sub-rule (1).
5. The applicant may pay the requisite fee in cash or in the form of affixing non-judicial stamp of equivalent amount on the application form or by way of a postal order or cheque or local Bank draft or Banker's cheque or money order in the name of the PIO/APIO, as the case may be.
6. The applicant may make the application and deposit requisite fee by going in person to the office of the concerned PIO/APIO, or through a messenger or representative..
7. The applicant may send the application along with the requisite fee by sending it through a registered post with acknowledgement due to the concerned PIO.
8. Provided that in such case, payment of requisite fee shall be made through any mode mentioned in sub-rule (3) other than by way of cash payment.
9. The applicant may send the application electronically through the concerned PIO's website or via email or any other electronic mode to the concerned PIO, in which case, the PIO would immediately issue to the applicant an Application Receipt Number. The applicant shall send a copy of the application with the Application Receipt Number written on it along with the requisite fee by registered post with acknowledgement due to the concerned PIO.
10. Provided that in such case, payment of requisite fee shall be made through any mode mentioned in sub-rule (3) other than by way of cash payment,
11. On receiving the application either under sub-rule (4), (5) or (6), the concerned PIO would

immediately issue a receipt to the applicant. This receipt shall, amongst other information as deemed fit by the concerned PIO, include, the Application Receipt Number, the name and address of the applicant, name and address of the concerned PIO, position, department/public authority, date on which the application was received, the date by which a response must be provided and the amount of fee deposited and the mode by which it was deposited.

12. Provided that in case the application has been received under sub-rule (5) or (6), the concerned PIO would send the said receipt by registered post with acknowledgement due.
13. The mandatory period of 30 days for the Public Information Officer to respond to the application in the prescribed format shall be counted from the day the application fee is received by him or her in any manner.
14. In accordance with ss. 6(1) and 7(1) and (5), the following fees are prescribed:

Description of Information	Price / Fees in Rupees
Application fee	Rs. 10 per application
Appeal fee	Rs. 10 per appeal
Where information is provided in the form of a copy of a paper document.	▪ Re 1 per A/4 page. ▪ proportionately for larger size pages
Where information is provided in the form of a computer disk/video/tape/etc.	• Nil if the applicant provides his/her own disk/video/tape/etc. • No more than the cost price of the disk/video/tape/etc.
Inspection of records	First hour free and Rs 5 for every quarter hour thereafter, which amount is to be determined from the time the records were given to the applicant to inspect
Sample of material	Rs 50 per sample
Any information, which should have been provided to the applicant, either under any law or as a normal governance norm or which should have been publicly disseminated under section 4 and has not been done	No charge

	Where the information is provided in the form of a printed publication.	Price so fixed or photocopying charges as specified, whichever is less.
(a) the Central Public Information Officer or State Public Information Officer, as the case may be, of the concerned public authority;		
(b) the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be,		
specifying the particulars of the information sought by him or her.		
Provided that where such request cannot be made in writing, the Central Public Information Officer or State Public Information Officer, as the case may be, shall render all reasonable assistance to the person making the request orally to reduce the same in writing.	6(1)	1. For the purpose of proviso to sub-section (1) of section 6, the concerned PIO would provide all reasonable assistance to the person making the request orally to reduce the same in writing. <i>Explanation:</i> "Reasonable assistance" for the purpose of sub-rule (1) would include, but not be limited to, making available, to the best of the resources at hand, the presence of a person who speaks, writes and understands the language of the applicant and who shall faithfully record the applicant's oral request in writing and read over the application to the applicant. 2. If the concerned Public Information is well-versed with the language of the applicant, he shall reduce the oral request in writing himself. 3. If the oral request has been reduced in writing in accordance with the provision to sub-section (1) to section 6, such fact of reducing the oral request in writing shall be mentioned on the application form by the concerned Public Information Officer at the time of making the application and he/she shall also put his/her name, signature and seal.
(2) An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.		
(3) Where an application is made to a public authority requesting for an information,-		
(i) which is held by another public authority; or		

(ii) 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 such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer.

Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

6(3)

1. If all the information sought by an applicant does not fall within the jurisdiction of the public authority, the public authority shall forward in [redacted] the application form along with the fee, within five working days of the receipt of the application form, to the public authority in whose jurisdiction that information lies. A copy of [redacted] shall also be sent to the applicant.
2. Where only a part of the information asked for is dealt with by another public authority, the receiving PIO shall transfer that part to the appropriate public authority, using [redacted], and a copy of [redacted] will be sent to the applicant. However, the fee received shall not be transferred. The concerned PIO shall, however, get a receipt from the PIO to whom the request has been transferred, recording the time and date of transfer.
3. Where the part of the application so transferred related to information that should legitimately have been a part of a separate request to a distinct public authority, then the public authority to whom it has now been transferred shall seek payment of appropriate fees and raise a demand, as per section 7(3) of this act.
4. If the requested information, or a part thereof, falls within the PIO's jurisdiction and also in one or more of the categories of restrictions listed in section 8, 9 or 24 of the Act, the PIO will reject the application or part thereof, as the case may be, by issuing a rejection order in [redacted] within five working days from the date of receipt of application form.
5. If the requested information, or part thereof, falls within the PIO's jurisdiction but not in one or more of the categories of restrictions listed in section 8, 9 or 24 of the Act, the PIO shall supply the information falling within his/her jurisdiction to the applicant in [redacted].
6. Each document/page of information supplied shall be stamped & certified to be a true copy of the original by an appropriate functionary.

7. (1) Subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer or State Public Information Officer, as the case may be on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9;	7(1) 1. As soon as the PIO has compiled the requisite information and determined whether access shall be granted, he/she shall send an intimation to the applicant in the prescribed form Form within a period of thirty days from the date of receipt of the application either informing him/her in writing of the decision to reject or to grant the application. Where the request has been rejected, detailed reasons as also details of appeals allowable, will be communicated. Where the request has been allowed, the applicant shall be informed of the amount of fees payable by him/her as specified under s 6(1) of the act, the possible methods of payment and the proposed process for receiving the information.
Provided that where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.	7(1) 1. Where an application is made for information relating to the life and liberty of a person, as referred to under s.7(1), the applicant should note this clearly on the application and should include an explanation as to why the application should be expedited under this provision. 2. For the purposes of applying s.7(1), the PIO should at a minimum expedite an application where the information requested relates to a person's imminent or illegal confinement or internment, arbitrary detention, imminent death at the hands of the State or another individual.
(2) If the Central Public Information Officer or State Public Information Officer, as the case may be fails to give decision on the request for information within the period specified under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be shall be deemed to have refused the request.	7(2) 1. The specified deemed refusal does not relieve the PIO from providing the information but facilitates the filing of the appeal by the applicant, who can file it as an appeal against the deemed refusal. However, if the information sought was not such that it was exempt, than despite the deemed refusal, the PIO would be liable for penalty for late provision of information, as laid down in section 20 (1) or (2) of the Act.
(3) Where a decision is taken to provide the information on payment of any further fee representing the cost of providing the information, Central Public Information Officer or State Public Information Officer, as the case may be shall send an intimation to the person making the request, giving	F

(a) the details of further fees representing the cost of providing the information as determined by him, together with the calculations made to arrive at the amount in accordance with fee prescribed under sub-section (1), requesting him to deposit that fees, and the period intervening between the despatch of the said intimation and payment of fees shall be excluded for the purpose of calculating the period of thirty days referred to in that sub-section;

(b) information concerning his or her right with respect to review the decision as to the amount of fees charged or the form of access provided, including the particulars of the appellate authority, time limit, process and any other forms.

(4) Where access to the record or a part thereof is required to be provided under this Act and the person to whom access is to be provided is sensorily disabled, the Central Public Information Officer or State Public Information Officer, as the case may be shall provide assistance to enable access to the information, including providing such assistance as may be appropriate for the inspection.

(5) Where access to information is to be provided in the printed or in any electronic format, the applicant shall, subject to the Provisions sub-section (6), pay such fee as may be prescribed:

"Provided that the fee prescribed under sub-section (1) of section 6 and sub-section (1) and (5) of section 7 shall be reasonable and no such fee shall charged from the persons who are of below poverty line as may be determined by the appropriate Government."

7(4)

1. For the purpose of this clause, assistance would include the provision of a reader or, as per the requirement, a person who can assist the applicant by reading the asked for document or in other required manner in order to facilitate the sought after access to information.

7(5) F

1. Information pertaining to the applicant or the applicant's family will be provided without any fee to individuals below the poverty line. Normal fee will be charged if information sought does not pertain to the applicant or the applicant's family. However, while determining whether the information asked for pertains to the applicant or the applicant's family, a liberal interpretation must be taken and all requests that could even indirectly pertain to the applicant/ applicant's family must be so treated.

	2. For the purpose of determining whether an applicant is below the poverty line, the applicant must either attach an attested copy of the ration card or any other documentation declared by the appropriate government to be sufficient proof, or show this in the original to the PIO/APIO who should then record this fact on the application and return the original there and then to the applicant.
(6) Notwithstanding anything contained in sub-section (5), the person making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified in sub-section (1).	7(6) 1. Where information asked for has not been supplied in the time frame prescribed under section 1 of section 7, the fee recovered from the applicant under sections 6(1), 7(3) and 7(5) shall be refunded to him/her and no further fee shall be recovered from the applicant regarding that application. 2. Where part of the information was provided in time but part was delayed, the full application fee, as specified in section 6(1), would be refunded but further fee as asked for under section 7(3) would be refunded for only that portion that was delayed. 3. It would be the responsibility of the PIO to refund this fee within 30 days of the expiry of the period specified under section 7(1), without requiring any application from the applicant. Failure to do this or to do this within thirty days would tantamount to a violation of the act and would be subject to penalties, as prescribed under section 20 (1) and (2) of the act.
(7) Before taking any decision under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be shall take into consideration the representation made by a third party under section 11.	
(8) Where a request has been rejected under subsection (1), the Central Public Information Officer or State Public Information Officer, as the case may be shall communicate to the person making the request,-	7(8) F
(i) the reasons for such rejection;	Where an application is rejected in accordance with s.7(8) or partially rejected in accordance with s.10(2), the PIO will inform the applicant using 
(ii) the period within which an appeal against such rejection may be preferred;	
(iii) the particulars of the appellate authority.	

(9) An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

7(9)

1. Nothing in this section should be seen to affect the obligation of the public authority to provide information that needs to be extracted or collated from its records, or needs to be, before or after extracting and/or collating, classified under the asked for categories. It also does not affect the obligation of the public authority to provide data that is electronically available and needs to be processed using standard software packages
2. However, the public authority can refuse from providing data which is not available in the form asked for and is impossible reduce to such form.
3. If, due to the age of the document, it has become so delicate that handling it is likely to result in its destruction, then a copy of that document can be refused under this section and it shall be treated as detrimental to the safety or preservation of that documents for the purposes of that section.
4. However, in such a case a true copy of the document needs to be provided and the cost of making a true copy can be recovered from the applicant, provided that the cost is in no case more than the cost price and has been agreed by the applicant in advance.

(1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,-

8(1)

1. If information is to be denied under this section, the letter conveying the denial to the applicant must give detailed reasons how the information sought is covered under one of the sub-sections. This would help in preventing unnecessary appeals and also facilitate the disposal of appeals, where any are made.

(a) 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;

(b) 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;

(c) information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;	
(d) 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;	
(e) 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;	
(f) information received in confidence from foreign government;	
(g) 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;	
(h) information which would impede the process of investigation or apprehension or prosecution of offenders;	
(i) 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;	8(1)(i) 1. For the purpose of this section, a decision would be deemed to have been taken and the matter completed or over when that decision has been explicitly or implicitly made public and/or come into effect and/or is no longer under active consideration.