



NATIONAL AGRI-FOOD BIOTECHNOLOGY INSTITUTE, MOHALI

FREQUENTLY ASKED QUESTIONS (FAQs) ON RTI ACT

Q.1: What is information under RTI Act?

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 appropriate Government. It also includes the bodies owned, controlled or substantially financed and non-Government organisations substantially financed directly or indirectly by funds provided by the appropriate Government.

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

Public authority must designate some of its Officers as 'Central Public Information Officer (CPIO)' under section (5) of the RTI Act and the CPIO shall deal with the requests received from persons seeking information and render reasonable assistance to the persons seeking such information under purview of this Act.

Q.4: What does record mean under RTI Act?

Record under RTI Act includes:

- (a) any document, manuscript and file;
- (b) any microfilm, microfiche and facsimile copy of a document;
- (c) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
- (d) any other material produced by a computer or any other device;

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

A person who desires to seek information from CPIO of the 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), in the name of National Agri-Food Biotechnology Institute, Payable at Mohali as fee prescribed under this Act for seeking information. The payment of fee can also be made by

way of cash to public authority against proper receipt. However, the RTI Fee and the mode of payment may vary as mentioned under Section (27) and Section (28) of the RTI Act, 2005 by 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/she is not required to pay any fee under this Act. However, the applicant should submit a proof in support of his/her claim to belong to the below poverty line as defined by appropriate Government.

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

There is no prescribed format of application for seeking information and the applicant shall only make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is being made, accompanying such fee as may be prescribed to. The application can be made on plain paper alongwith a requisite as mentioned above. The application should, however, have the name and complete postal address of the applicant. For betterment of applicant, NABI has designed its performa for seeking information under this act.

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 exempted from disclosure. Sub-section (2) of section (8), however, provides that information exempted under sub-section (8) (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: Is there any assistance available to the Applicant for filing RTI application?

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

Q.11: What is the Time Period for Supply of Information?

In normal course, the information to an applicant shall be supplied within 30 days from the receipt of their application by the public authority (Section 7 of RTI Act). 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.12: Is there any provision of Appeal under the RTI Act?

If CPIO doesn't supply information within the prescribed time of 30 days or 48 hours, as the case may be, or the applicant is not satisfied with the information furnished, the applicant may prefer an appeal to the First Appellate Authority (FAA) who is Senior in rank to the Central Public Information Officer (CPIO). Such appeal should be filed 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 Central Public Information Officer is received. The appellate authority of the public authority shall dispose of the appeal within a period of 30 days from the date of receiving such request or in exceptional cases within 45 days of the receipt of the appeal.

Q.13: 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, the applicant may prefer a second appeal with the Central Information Commission (CIC) 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.14: Whether Complaints can be made under this Act? If yes, under what conditions?

If any person is unable to submit a request to a Central 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 Central Public Information Officer or the Appellate Authority, as the case may be; or he has been refused access to any information requested under the RTI Act; or has not been given a response to a request for information within the time limit specified in the Act; or has been required to pay an amount of fee which the applicant considers unreasonable; or believes that he has been given incomplete, misleading or false information, the applicant can make a complaint to the Central Information Commission (CIC).

Q.15: What is Third Party Information?

Third party in relation to the Act means a person other than the citizen who has made request for the information. The definition of third party includes a public authority other than the public authority to whom the request has been made and shall be disposed/treated as per section (11) and other provisions of RTI Act.

Q.16:What is the Method of Seeking Information?

Any person who desire to obtain information under this Act should make an application to the Central Public Information Officer (CPIO) 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. The applicant should make appropriate payment of Rs.10/- as mentioned above as application fee under RTI Act at the time of submitting the application in the prescribed performa of that public authority if any.

Q.17: Will there be any additional payment for receiving information?

Fee chargeable for providing information u/s 7(1) is as under:

- (a) *Rs. 2/- for each page created or copied (in A4 or A3 size paper).*
- (b) *Actual charge or cost price of a copy in larger size paper.*
- (c) *Actual cost or price for samples or models.*
- (d) *Rs. 5/- per hour for inspection of records. No fee for the first hour.*

For providing information u/s 7(5) in printed or electronic format, the following fee has been prescribed:

- (a) *Rs. 50/- per diskette or floppy.*
- (b) *Price fixed for the printed publication or Rs. 2/- per page of photocopy for extracts from the publication.*

Q.18: Is there any other method for filing information under RTI from NABI?

Kindly click on this link <https://rtionline.gov.in/>. This is a portal to file RTI applications/first appeals online along with payment gateway. Payment can be made through internet banking of SBI, debit/credit cards of Master/Visa and RuPay cards. Through this portal, RTI applications/first appeals can be filed by Indian Citizens for all Ministries/Departments and other Public Authorities of Central Government. RTI applications/first appeals should not be filed for other Public authorities under Central/State Govt. through this portal. Please read instructions carefully while submitting request/appeal.

Q.19: What if CPIO receives other Public Authority RTI requests wrongly?

Under Section (6) (3) of the RTI Act, where an application is made to a public authority requesting for 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.

Q.20: When was RTI Act came into existence?

This Act was enacted on 15th June, 2005 and came into force on 12th October, 2005.