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कार्मिक, लोक शिकायत एवं पेंशन मंत्रालय/MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS  
कार्मिक एवं प्रशिक्षण विभाग/DEPARTMENT OF PERSONNEL AND TRAINING

सचिवालय प्रशिक्षण तथा प्रबन्ध संस्थान  
INSTITUTE OF SECRETARIAT TRAINING AND MANAGEMENT

आईएसओ 9001:2015 संस्था / AN ISO 9001:2015 INSTITUTION

प्रमाणित किया जाता है कि श्री/श्रीमती/कु  
ने 27.02.2020 से

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27.02.2020

28.02.2020

तक आयोजित  
से भाग लिया

सूचना का अधिकार – जन सूचना अधिकारी पर प्रशिक्षण पाठ्यक्रम

Vundrakonda Venkata Ramana

This is to certify that Shri/Smt./Ms.

participated in the *Training Programme on Right to Information - Public Information Officers*

conducted from 27.02.2020 to 28.02.2020

28.02.2020

नई दिल्ली/New Delhi

28.02.2020

तारीख/Dated

पाठ्यक्रम निदेशक/Course Director

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READING MATERIAL



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Two- Day Training  
Programme  
on  
Right to Information Act, 2005 for Public  
Information Officer

(27<sup>th</sup> to 28<sup>th</sup> February, 2020)

## RIGHT TO INFORMATION

### **Background and origin**

'Information' as a term has been derived from the Latin words 'In-Formation' and 'Forma' which means giving shape to something and forming a pattern, respectively. Information adds something new to our awareness and removes the vagueness of our ideas.

More than two centuries ago, Sweden passed the first freedom of information law in the world. The law was principally sponsored by Anders Chydenius, a Finnish enlightenment thinker and politician. Chydenius had been inspired by the humanist Confucian philosophy...and the fact that the Chinese emperors were expected to "admit their own imperfection as a proof for their love of the truth and in fear of ignorance and darkness."

He played a crucial role in creating the Freedom of the Press Act of 1766. It abolished political censorship and provided public with an access to government documents. Information is Power, and as the Prime Minister stated, the Government wants to share power with the humblest; it wants to empower the weakest. It is precisely because of this reason that the Right to Information has to be ensured for all.

Article 19(1) (a) of our Constitution guarantees us the right to freedom of speech and expression. Tamilnadu and Goa, enacted Right to Information laws in 1997 and inspired other states to follow suit. States which passed Right to Information laws were:

- Rajasthan, Karnataka 2000
- Delhi 2001
- Maharashtra, Assam 2002
- Madhya Pradesh 2003
- Jammu and Kashmir 2004

The Government of India introduced the Freedom of Information Bill, 2000 in the Lok Sabha on 25th July, 2000. The Bill cast an obligation upon public authorities to furnish such information wherever asked for. It was passed by the Parliament as the Freedom of Information Act 2002. However, the Act could not be brought into force because the date from which the Act should come into force, was not notified in the Official Gazette.

The Right to Information Act 2005 passed by the Parliament of India and published in the Gazette of India on 21<sup>st</sup> June, 2005 extends to

the whole of India except the State of Jammu and Kashmir. The State of Jammu and Kashmir enacted the Jammu and Kashmir Right to Information Act, 2009 which came into force on 20 March 2009, repealing the earlier Jammu and Kashmir Right to Information Act, 2004.

### **Definitions of important terms**

A. "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;

B. 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;

C. public authority has been defined as any authority or body established or constituted;

- i. by or under the Constitution;
- ii. by any other law made by Parliament;
- iii. by notification issued or order made by the Government, and includes any other body owned or controlled by the Government;

D. 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;
- 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;

## **RTI – clarifications**

- ✓ A citizen has a right to seek such information from a public authority which is held by the public authority or which is held under its control. This right includes inspection of work, documents and records; taking notes, extracts or certified copies of documents or records; and taking certified samples of material held by the public authority or held under the control of the public authority.
- ✓ The Act gives the citizens a right to information at par with the Members of Parliament and the Members of State Legislatures. According to the Act, the information which cannot be denied to the Parliament or a State Legislature, shall not be denied to any person.
- ✓ A citizen has a right to obtain an information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts provided such information is already stored in a computer or in any other device from which the information may be transferred to diskettes etc.
- ✓ The information to the applicant should ordinarily be provided in the form in which it is sought. However, if the supply of information sought in a particular form would disproportionately divert the resources of the public authority or may cause harm to the safety or preservation of the records, supply of information in that form may be denied.
- ✓ The Act gives the right to information only to the citizens of India. It does not make provision for giving information to Corporations, Associations, Companies etc. which are legal entities/persons, but

not citizens. However, if an application is made by an employee or office-bearer of any Corporation, Association, Company, NOO etc. indicating his name and such employee/office bearer is a citizen of India, information may be supplied to him/her. In such cases, it would be presumed that a citizen has sought information at the address of the Corporation etc.

- ✓ Only such information is required to be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. It is beyond the scope of the Act to create information; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions.

### **Suo moto disclosures**

Every public authority to provide as much information suo motu to the public through various means of communications so that the public have minimum need to use the Act to obtain information. Internet being one of the most effective means of communication, the information may be posted on the website.

Section 4(1)(b) of the Act, in particular, requires every public authority to publish following sixteen categories of information:

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

(xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

(xiii) particulars of recipients of concessions, permits or authorisations granted by it;

(xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

(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.

Besides the categories of information enumerated above, the Government has issued guidelines vide OMs dated 11.9.2012 & 15.4.2013, that the following categories of information may be published by the public authorities:

- i. Information relating to procurement
- ii. Public Private Partnerships
- iii. Transfer Policy and Transfer Orders
- iv. RTI Applications
- v. CAG & PAC paras
- vi. Citizens Charter
- vii. Discretionary and Non-discretionary grants
- viii. Foreign Tours of PM/Ministers and senior officers

In addition, the Government may prescribe other categories of information to be published by any public authority. It has also been clarified that publication of the information as referred to above is not optional. It is a statutory requirement which every public authority is bound to meet.

As per Government guidelines contained in OM dated 15.4.2014;

“All Public authorities shall proactively disclose RTI applications and appeals received and their responses, on the websites maintained by Public Authorities with search facility based on key words. RTI applications and appeals received and their responses relating to the personal information of any individual may NOT be disclosed, as they do not serve any public interest’.

However, keeping in the view the directions dated 20.11.2013 of Hon’ble High Court of Kolkata in WP No. 33290 of 2013 in the case of Mr. Avishek Goenka vs UOI regarding personal details of RTI applications, Government has issued directions to the public authorities vide OM dated 23.3.2016 that the public authorities may note that while proactively disclosing RTI applications and appeals received and responses thereto on their website, the personal information of an individual should not be disclosed.

## **Exemptions**

Sub-section (1) of section 8 and section 9 of the Act enumerate the categories of information which is exempt from disclosure.

The categories pertain to

- (a) National Security
- (b) Contempt of Court
- (c) Parliamentary Privilege
- (d) Trade Secrecy
- (e) Fiduciary relationship
- (f) Foreign government
- (g) Safety of informer in law enforcement
- (h) Investigation
- (i) Cabinet papers
- (j) Privacy

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 outweighs the harm to the protected interest.**



Further, sub-section (3) of section 8 provides that information exempt from disclosure under sub-section (1), except as provided in clauses (a), (c) and (i) thereof, would cease to be exempted after 20 years from the date of occurrence of the related event etc.

It has been clarified that section 8(3) of the Act does not require the public authorities to retain records for indefinite period. The records should be retained as per the record retention schedule applicable to the concerned public authority.

Information generated in a file may survive in the form of an OM or a letter or in any other form even after destruction of the file/record. The Act requires furnishing of information so available after the lapse of 20 years even if such information was exempt from disclosure under sub-section (1) of Section 8. It means that the information which, in normal course, is exempt from disclosure under sub-section (1) of Section 8 of the Act, would cease to be exempted if 20 years have lapsed after occurrence of the incident to which the information relates. However, the following types of information would continue to be exempt and there would be no obligation, even after lapse of 20 years, to give any citizen

(i) information disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State, relation with foreign state or lead to incitement of an offence;

(ii) information the disclosure of which would cause a breach of privilege of Parliament or State Legislature; or

(iii) Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other Officers subject to the conditions given in proviso to clause (i) of sub-section (1) of Section 8 of the Act.

### **Overriding effect of RTI Act**

The RTI Act has over-riding effect vis-a-vis other laws inasmuch as the provisions of the RTI Act would have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923, and any other law for the time being in force or in any instrument having effect by virtue of any law other than the RTI Act.

## How to apply for information?

An applicant, along with his application, is required to pay a sum of Rs.10/- as application fee in cash or by way of a demand draft or a banker's cheque or an Indian Postal Order payable to the Accounts Officer of the public authority.

The applicant may also have to pay additional fee, as prescribed by the Right to Information (Regulation of Fee and Cost) Rules, 2005 for supply of information as given below:

- (a) rupees two (Rs. 2/-) for each page ( in A-4 or A-3 size paper) created or copied;
- (b) actual charge or cost price of a copy in larger size paper;
- (c) actual cost or price for samples or models;
- (d) for inspection of records, no fee for the first hour; and a fee of rupees five (Rs.5/-) for each subsequent hour (or fraction thereof);
- (e) for information provided in diskette or floppy rupees fifty (Rs.50/-) per diskette or floppy;
- (f) for information provided in printed form at the price fixed for such publication or rupees two per page of photocopy for extracts from the publication.

As per the guidelines issued by the Government vide OM dated 24th November 2016, Government has decided to initiate the process where the amount received from the citizen in the form of 'RTI fees' and 'Additional Payments' will be credited to the concerned Public Authority's bank account.

If the applicant belongs to 'below poverty line (BPL) category, he/she is not required to pay any fee. However, he/she should submit a proof in support of his/her claim to belong to the below poverty line. The application not accompanied by the prescribed fee of Rs. 10/- or proof of the applicant's belonging to below poverty line, as the case may be, shall not be a valid application under the Act and, therefore, does not entitle the applicant to get information.

It has also been clarified that where the CPIO decides that the information shall be provided on payment of fee in addition to the application fee, the applicant would be informed of:

- (i) the details of further fees required to be paid;
- (ii) the calculations made to arrive at the amount of fees asked for Contents and Format of Application.

### **Any reasons required to file a RTI application**

An applicant making request for information is NOT required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him. Also, the Act or the Rules do not prescribe any format of application for seeking information. Therefore, the applicant should NOT be asked to give justification for seeking information or to give details of his job etc. or to submit application in any particular form.

### **How to respond if does not pertain to fully or partially**

If the subject matter of the application concerns any other public authority, it should be transferred to that public authority within five days of the receipt of the application. While transferring the application or sending a copy thereof, the concerned public authority should be informed that the application fee has been received. The applicant should also be informed about the transfer of his application and the particulars of the public authority to whom the application or a copy thereof has been sent. . If a CPIO transfers an application after five days from the receipt of the application, he would be responsible for delay in disposing of the application to the extent of number of days which he takes in transferring the application beyond 5 days. The CPIO of the public authority to whom the application is transferred, should not refuse acceptance of transfer of the application on the ground that it was not transferred to him within 5 days.

If only a part of the application concerns the other public authority, a copy of the application may be sent to that public authority, clearly specifying the part which relates to that public authority.

A public authority may designate as many CPIOs for it, as it may deem necessary. It is possible that in a public authority with more than one CPIO, an application is received by the CPIO other than the concerned CPIO. In such a case, the CPIO receiving the application should transfer it to the concerned CPIO immediately, preferably the same day. Time period of five days for transfer of the application applies only when the application is transferred from one public authority to another public authority and not for transfer from one CPIO to another in the same public authority.

### **Response on RTI application**

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 is received for access to information which is exempt from disclosure but a part of which is not exempt and such part can be severed in such a way that the severed part does not contain exempt information then, access to that part of the information/record may be provided to the applicant. Where access is granted to a part of the record in such a way, the Central Public Information Officer should inform the applicant that the information asked for is exempt from disclosure and that only part of the record is being provided, after severance, which is not exempt from disclosure. While doing so, he should give the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based. The CPIO should take the approval of appropriate authority before supply of information in such a case and should inform the name and designation of the person giving the decision to the applicant also.

### **Timely response**

1. Supply of information in normal course. 30 days
2. Supply of information if the application is received through APIO. 05 days shall be added
3. Supply of information if it concerns the life or liberty of a person:48 hours
4. Transfer of application to other public authority under section 6(3) of the Act:05 days
5. Supply of information if application/request is received after transfer from another public authority:
  - (a) In normal course: Within 30 days of the receipt of the application by the concerned public authority.
  - (b) In case the information concerns the life or liberty of a person: Within 48 hours of receipt of the application by the concerned public authority
6. Supply of information where the applicant is asked to pay additional fee:The period intervening between informing the applicant about additional fee and the receipt of such fee by the public authority shall be excluded for calculating the period of reply.
7. Supply of information by organizations specified in the Second Schedule:
  - (a) If information relates to allegations of violation of human rights (after approval of the Central Information Commission): 45 days from the receipt of application
  - (b) In case information relates to allegations of corruption: Within 30 days of the receipt of application.

If the Public Information Officer fails to give decision on the request for information within the prescribed period, he shall be deemed to have refused the request. It is pertinent to note that if a public authority fails to comply with the specified time limit, the information to the concerned applicant would have to be **provided free of charge**.

### **Third Party Information**

Third party in relation to the Act means a person other than the citizen who has made request for information. Any public authority other than the public

authority to whom the request has been made shall also be included in the definition of third party.

It has been clarified that information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, is exempt from disclosure. Section 8(1)(d) requires that such information should not be disclosed unless the competent authority is satisfied that larger public interest warrants the disclosure of such information.

If an applicant seeks any information which relates to or has been supplied by a third party and that third party has treated that information as confidential, the Central Public Information Officer should consider whether the information should be disclosed or not. The guiding principle in such cases should be that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party. However, procedure as given below should be followed before disclosing such information. It may be noted that this procedure need be followed only when the third party has treated the information as confidential.

If the CPIO intends to disclose the information, he should within five days from the receipt of the application, give a written notice to the third party that the information has been sought by the applicant under the RTI Act and that he intends to disclose the information. He should request the third party to make a submission in writing or orally, regarding whether the information should be disclosed. The third party should be given a time of ten days, from the date of receipt of the notice by him, to make representation against the proposed disclosure, if any.

The Central Public Information Officer should make a decision regarding disclosure of the information keeping in view the submission of the third party. Such a decision should be taken within forty days from the receipt of the request for information. After taking the decision, the CPIO should give a notice of his decision to the third party in writing. The notice given to the third party should include a statement that the third party is entitled to prefer an appeal under section 19 against the decision.

The third party can prefer an appeal to the First Appellate Authority against the decision made by the Central Public Information Officer within thirty days from the date of the receipt of notice. If not satisfied with the decision of the First Appellate Authority, the third party can prefer the second appeal to the Central Information Commission.

If an appeal has been filed by the third party against the decision of the CPIO to disclose the third party information, the information should not be disclosed till the appeal is decided.

## **First Appeal**

The first appeal may be made within 30 days from the date of expiry of the prescribed period or from the receipt of communication from the CPIO. If the First Appellate Authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal, the appeal may be admitted after 30 days also.

Deciding appeals under the RTI Act is a quasi-judicial function. It is, therefore, necessary that the First appellate authority should see to it that the justice is not only done but it should also appear to have been done. In order to do so, the order passed by the First appellate authority should be a speaking order giving justification for the decision arrived at.

The appeal should be disposed of within 30 days of receipt of the appeal. In exception cases, the Appellate Authority may take 45 days for its disposal. However, in cases where disposal of appeal takes more than 30 days, the Appellate Authority should record in writing the reasons for such delay.

If an appellate authority comes to a conclusion that the appellant should be supplied information in addition to what has been supplied to him by the CPIO, he may either

- (i) pass an order directing the CPIO to give such information to the appellant; or
- (ii) he himself may give information to the appellant while disposing off the appeal.

In the first case the appellate authority should ensure that the information ordered by him to be supplied is supplied to the appellant immediately. It would, however, be better if the appellate authority chooses

the second course of action and he himself furnishes the information along with the order passed by him in the matter.

If, in any case, the CPIO does not implement the order passed by the First appellate authority and the appellate authority feels that intervention of higher authority is required to get his order implemented, he should bring the matter to the notice of the officer in the public authority competent to take action against the CPIO. Such competent officer shall take necessary action so as to ensure implementation of the provisions of the RTI Act.

### **Penalty or disciplinary action**

An applicant under the Act has a right to appeal (second 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.

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 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.



## **Protection of work well done**

Section 21 of the Act provides that no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under the Act or any rule made thereunder. The responsibility to prove that his/her action was in good faith, however, lies with the Public Information Officer.

## **RTI online**

In an initiative by DoP&T, a Web Portal RTI Online with url <https://rtionline.gov.in> has been launched. This is a facility for the Indian Citizens to file RTI applications and first appeals online and also to make payment of RTI fees online.

2. The applicant can pay the prescribed fee through the following modes:

- a) Internet banking through State Bank of India and its associate banks;
- b) Credit/Debit card (Visa or Master).

3. As prescribed in the RTI Rules, 2012, RTI application fee is Rupees 10/-. No RTI fee is required to be paid by any citizen who is below poverty line. However, such applicant must attach a copy of the certificate issued by the appropriate government in this regard, along with the application.

4. The application filed through this Web Portal would reach electronically to the "Nodal Officer" of respective Public Authorities which are aligned to this portal. The Nodal Officer shall access this portal on the url <https://rtionline.gov.in/RTIMIS> at least twice in a day. Nodal Officer will transmit the RTI application electronically to the concerned CPIO. In case the RTI application is not meant for that Public Authority who has received it, the "Nodal Officer" can transfer the application electronically (if aligned to the portal) / Physically (if not aligned to the portal) to other public authority.

5. Each CPIO has been provided username and password by the Nodal Officer to login. All CPIOs shall regularly check the portal

<https://rtionline.gov.in/RTIMIS>, at least once in a day, to know whether any new RTI application has been received or not.

6. In case additional fee is required representing the cost for providing information, the CPIO shall intimate the applicant about the same through this portal.

7. The first appeals filed through this Web Portal would also reach electronically to the "Nodal Officer" who would transmit the appeals electronically to the concerned First Appellate Authority (FAA). Each FAA would be provided username and password by the Nodal Officer to login. All FAAs shall regularly check the portal <https://rtionline.gov.in/RTIMIS> to know whether any new appeal has been received or not.

8. The CPIOs and the FAAs shall reply to the applicant/appellant electronically through this portal. However, if the volume of information to be supplied is large, the same could be sent through post but be mentioned in the Reply Text Box of doing the same.

9. The RTI applications received physically through Dak in RTI Cell should also be entered in the Portal by the Nodal Officer/RTI Cell. The RTI applications received physically -through Dak directly by the CPIO should also be entered in the Portal by the concerned CPIO. However, The CPIOs should reply to such applications physically through post.

## **Gist of Sections of RTI**

Section 1 deals with the short title, extent and the commencement of the legislation. The legislation will come into force on the one hundred and twentieth day of its assent by the President.

Section 2 defines various words and expressions used in the Act.

Section 3 seeks to confer on the citizens a right of access to information held by public authorities.

Section 4 seeks to entrust a duty on every public authority to maintain records and publish manuals rules, regulations, instructions, etc. in its possession.

Section 5 provides for designation of Public Information Officers and Assistant Public Information Officers.

Section 6 specifies the manner in which requests may be made by a citizen to the authority for obtaining the information. It also provides for

transferring the request to the other concerned public authority who may hold the information.

Section 7 lays down specific time limit within which a public authority shall provide information and the fees to be paid for processing the request and for providing the information.

Section 8 deals with various categories of information which shall be exempted from disclosure.

Section 9 empowers the Public Information Officer to reject a request for information where an infringement of a copyright subsisting in a person would be involved.

Section 10 enables the public authority to sever and provide partial information which falls partly under the exempted categories and partly under the non-exempted categories.

Section 11 provides for consultation with the third party where the request relates to or has been supplied by a third party and has been treated as confidential by that party.

Sections 12 to 18 provides for constitution of Central Information Commission, the terms and conditions of service and the powers of the Information Commissioners and the Deputy Information Commissioners.

Section 19 seeks to provides for first and second appeals, the first appeals lies with the officer senior in rank to the Public Information Officer and the second appeal may be made to the Commission.

Section 20 provides for imposition of penalty on a Public Information Officer for failing to provide information without any reasonable cause within the specified period.

Section 21 bars the institution of legal proceedings against any person for things done in good faith under the Act.

Section 22 seeks to make the legislation overriding in character so that the scheme is not subverted through the operation of other enactment.

Section 23 seeks to bar the jurisdiction of the subordinate courts.

Section 24 seeks to exempt certain intelligence and security organisations from the purview of the legislation but information pertaining to allegation of corruption, and human rights violation, shall, without prejudice to the exemption, be provided.

Section 25 provides for preparation of an annual report by the Commission and laying of such report by the Central Government before each House of Parliament.

Section 26 seeks to cast an obligation on the Central Government to develop and promote schemes for advancement of the information regime.

Section 27 seeks to empower the Central Government to make rules so as to carry out the provisions of the legislation.

Section 28 seeks to empower the competent authority to make rules so as to carry out the provisions of the legislation.

Section 29 seeks to require the Central Government to lay the rules before each House of Parliament.

Section 30 empowers the Central Government to remove difficulties in giving effect to the provisions of the legislation within a period of two years from the commencement of the legislation.

Section 31 repeals the Freedom of Information Act, 2002.