

MMTC Limited
Corporate office, New Delhi
(RTI Cell)

For Public Awareness
Frequently Asked Questions and Answers on RTI (Right to
Information Act '2005)

Srl	Frequently asked Questions on RTI	Reply
1	When was current RTI act came in to existence?	The following Act of Parliament received the assent of the President on the 15th June, 2005, and is hereby published for general information: — <i>THE RIGHT TO INFORMATION ACT, 2005 No. 22 of 2005</i>
2	What is the administrative Ministry that passed RTI legislation?	<i>MINISTRY OF LAW AND JUSTICE - Legislative Department. The legislation provided effective framework for effectuating the right of information recognized under Article 19 of constitution of India.</i>
3	What is the objective of RTI Act?	<i>An Act 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 Commissions and for matters connected therewith or incidental thereto.</i>
4	What is Appropriate Govt?	<i>What is meaning of Appropriate Govt 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 the Union territory administration, the Central Government; (ii) by the State Government, the State Government;</i>
5	Who is Competent authority" under RTI Act?—	<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 Legislative Council of a State; (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 a 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</i>
6	What do you mean by information under RTI Act?	<i>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 "(refer to section 2(f) of RTI Act)</i>

7	What is definition of public authority under RTI Act?	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 organization substantially financed, “(refer to section 2(h) of RTI Act)
8	What is the meaning of record under RTI Act?	"record" includes— (ref to sec. 2(i)) (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;
9	Under which section of RTI act exemption to disclose information is provided?	Under Section 8 (i)a to 8(j) information that is exempted from disclosure is mentioned
10	What section 11 signifies under RTI Act?	Section 11 sets out procedure for giving opportunity to a third party to give his consent for disclosure or object to providing information against an RTI application. Or otherwise section 11 provides for disclosure of third-party information subject to consent.
11	Who is the adjudicating authority under RTI Act?	The Central Information Commission is the adjudicating authority under shall consist of— (a) the Chief Information Commissioner; and (b) such number of Central Information Commissioners, not exceeding ten, as may be deemed necessary.
12	What is 1st appeal and where it can be filed?	1 st appeal can be filed with designated First Appellate Authority (FAA) in any public authority.
13	Where the Jurisdiction of 2nd appeal lies?	CIC is the authority for 2 nd appeal for adjudication.
14	Whether information can be obtained against questions / queries like ‘Why?, When?, What? How? Where? etc under RTI Act?	Under RTI Act to seek information in the form of queries is not allowed - CIC decision no. 966/IC(A)/2007 & appeal no. 1735/ICPB/2008.
15	Whether a CPIO / PIO is under obligation to manufacture information?	No. CPIO is not obligated to manufacture information (CIC decision no. 236/IC(A)/2006 dt. 11.9.2006).
16	Do you know any judgement of CVC related to RTI Act?	Vide CVC Circular No.03/03/ 2017 dated 10.03.2017 in respect of Sh Ramesh Chandra Jain v/s DTC seeking similar information through repeated RTI applications from the same source constitutes to harassment of public authority and waste of productive time.
17	Are you aware of CIC judgements on vexatious complaints in the guise of RTI Act?	a) If Information being solicited by appellant is repetitive in nature, vexatious, and self-serving then no reply need not be given. (Ref: CIC decision No.CIC/AD/A/2013/001326 – SA dated 25.06.2014 vide which repetition shall be a ground of refusal and there is no scope for repeating under RTI Act).

		b) In addition, if no larger public interest is involved and information sought is self-serving by the appellant and is vexatiously attempting to repeatedly ask the same questions again and again in the self-interest the no need to provide information (Ref: Girish Chandra Despande vs CIC).
18	Whether information can be denied if it is voluminous? What is disproportionate diversion of resources?	As for information having been denied since it is voluminous, the commission holds that section 7(9) of the act does not allow denial of information but denial of providing information in the form in which it has been sought in the even if it leads to disproportional diversion of resources of Public Authority..... CIC decision No. CIC/OP/A 2009/00024-AD dated 12-01-2010
19	What is the penalty under RTI Act incase information is denied wantonly or with malafide intention or providing misleading information? Or for obstructing information?	CIC or SIC as the case may for reasons convincing enough during adjudication of complaint or appeal may impose penalty @Rs. 250/- (Rupees Two Hundred Fifty Only) per day of denial of information malafidely or for furnishing false/misleading information or obstructing information as the case may be subject a maximum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only).
20	Within how many days 1st appeal can be filed?	30 days from the date of information / order received from PIO/ CPIO of a public authority.
21	Can an RTI applicant directly file a 2nd appeal with CIC without filing 1st appeal?	No he cannot file directly with exhausting procedure of seeking information with the designated first appellate authority (FAA)
22	What is other type of penalty CIC can recommend?	CIC or SIC as the case may for reasons convincing enough during adjudication of complaint or appeal may impose financial penalty on CPIO or may recommend Disciplinary action against the CPIO under the service rules applicable to him for delayed information, denial of information malafidely or for furnishing false/misleading information or obstructing information as the case may be.
23	What is section-4(1)(b) of RTI Act?	Section-4 signifies the obligations of every public authorities and Sec-4(1)(b) of RTI Act lays down the information which should be disclosed by public authorities on a suo-moto or proactive basis.
24	What does sec-4(2) and 4(3) of RTI act signify?	Section 4(2) and 4(3) prescribe the method of dissemination of information by public authorities.
25	Whether RTI compliances can be seen as one of the Corporate Governance tools?	Yes. RTI compliances together with robust grievance redressal mechanism shall provide as good tool for effective corporate governance of a public authority.
