

Right to Information Act, 2005

What is Right to Information Act, 2005?

Right to Information Act 2005 (herein after RTI Act, 2005) was passed by Parliament on 15 June 2005 and came fully into force on 12 October 2005. Under the provisions of the RTI Act, 2005, any citizen of India may request information from a "public authority" (a body of Government or "instrumentality of State") which is required to reply expeditiously or within thirty days. Odisha Gramya Bank is a Public Authority, as per definition of Public Authority in the Right to Information Act, 2005, and thus Bank is under obligation to provide the information to the public.

How to apply for information under the RTI Act?

Only Citizens of India are eligible for making a request under the RTI Act, 2005. A person who desire to obtain information under the RTI Act, 2005, shall make a request in writing by Post or Electronic means (i.e. e-mail/RTI Online Portal), clearly specifying the information sought under the RTI Act, 2005 along accompanying fee as per RTI Rules 2012. The RTI application should contain the contact details of applicant for contacting back and reply to applicant.

The Fee Structure under RTI Act, 2005:

1. Application Fee for filing RTI Application: An application under **sub-section (1) of Section 6 of the RTI Act, 2005** shall be accompanied by a fee of rupees ten. The applicant can the pay in following manner:

- i. In cash, by depositing in RTI fee Account No. : 888873003000003.
- ii. By demand draft or bankers cheque or Indian Postal Order payable to the CPIO of the public authority.
- iii. By electronic means to the CPIO of the public authority, if facility for receiving fees through

2. Fee for providing information: Fee for providing information is as below:

- i. Rupees two for each page in A-3 or smaller size paper
- ii. Actual cost or price of a photocopy in large size paper
- iii. Actual cost or price for samples or models
- iv. Rupees fifty per diskette or floppy
- v. Price fixed for a publication or rupees two per page of photocopy for extracts from the publication

vi. No fee for inspection of records for the first hour of inspection and a fee of rupees 5 for each subsequent hour fraction thereof

vii. So much of postal charge involved in supply of information that exceeds fifty rupees.

3. Exemption from Payment of Fee: No fee shall be charged from any person, as mentioned above who, is below poverty line provided a copy of the certificate issued by the appropriate Government in this regard is submitted along with the application.

Role of Central Public Information Officer:

The **Central Public Information Officer (CPIO)** after receiving RTI application along with proper fee (i.e. as mentioned in above points) will provide or denied the information to applicant, **as per the provision of RTI Act, 2005, within 30 days or within 48 hours**, if the information sought concerns the life and liberty of a person, from the receipt of RTI application.

Applicant Right of Appeal:

If the applicant is not satisfied with the reply/information provided by the CPIO of Odisha Gramya Bank then, applicant may file the appeal before **First Appeal Authority (i.e. FAA)** against the decision of the CPIO, within 30 days from the receipt of reply by affixing Rs. 20/- court fee stamp.

The FAA after receiving of appeal will disposed the appeal within 30 days or within such extended period not exceeding a total of 45 days (along with reason of delay disposal) from the date of receiving of RTI appeal.

The Applicant also has a right of Second Appeal before the Central Information Commission at New Delhi against the decision of the First Appellate Authority. For further information/details visit website of Central Information Commission website at:

<https://cic.gov.in/>

Information exemption from Disclosure under RTI Act, 2005:

Section 8 and 9 of the RTI Act, 2005, provide exemption under which CPIO can deny the information to applicant. The exemption as below:

Section 8.(1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,-

(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:

Provided further that those matters which come under the exemptions specified in this section shall not be disclosed;

(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:

Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

(2) Notwithstanding anything in the Official Secrets Act, 1923 nor any of the exemptions permissible in accordance with sub-section (1), a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.

(3) Subject to the provisions of clauses (a), (c) and (i) of sub-section (1), any information relating to any occurrence, event or matter which has taken place, occurred or happened twenty years before the date on which any request is made under section 6 shall be provided to any person making a request under that section:

Provided that where any question arises as to the date from which the said period of twenty years has to be computed, the decision of the Central Government shall be final, subject to the usual appeals provided for in this Act.

Section 9. Without prejudice to the provisions of section 8, a Central Public Information Officer or a State Public Information Officer, as the case may be, may reject a request for information where such a request for providing access would involve an infringement of copyright subsisting in a person other than the State.