

Procedure

Procedure for implementation of Right to Information Act 2005

Request for obtaining information:

As per section (6) of the Act:

- (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 or in the official language of the area in which the application is being made, accompanying such fee as may be prescribed, to –
- a) the Central Public Information Officer (CPIO) , NIFM
 - b) the Central Assistant Public information Officer.

Specifying the particulars of information sought by him or her:

Provided that where such request cannot be made in writing, the Central Public Information Officer (CPIO) shall render all reasonable assistance to the person making the request orally to reduce the same in writing.

- (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 made to a public authority requesting for information–
- a) which is held by another public authority; or
 - b) 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.

Disposal of request:

As per section (7) of the Act:

- (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(CPIO) on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of request, either provide the information on payment of such fee(see fees structure) as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9:

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.

- (2) If the CPIO fails to give decision on the request for information within the period specified under sub-section (1) above, the Central Public Information Officer (CPIO) shall be deemed to have refused the request.
- (3) Where a decision is taken to provide the information on payment of any further fee(see fees structure) representing the cost of providing the information, the CPIO shall send an intimation to the person making the request, giving –
- 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 dispatch 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(CPIO), 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 of sub-section(6), pay such fee(see fees structure) as may be prescribed:

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

- (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) Before taking any decision under sub-section (1), the CPIO shall take into consideration the representation made by a third party under section 11.
- (8) Where a request has been rejected under sub-section (1), the CPIO shall communicate to the person making the request, -
- (i) The reasons for such rejection;
 - (ii) The period within which an appeal against such rejection may be preferred; and (iii) The particulars of the appellate authority (Director NIFM).

Fees Structure

- A request for obtaining information under sub-section(1) of section 6 shall be accompanied by an application fee of rupees ten by way of cash against proper receipt or by demand draft or bankers cheque payable to the NIFM.
- For providing the information under sub-section (1) of section 7, the fee shall be charged by way of cash against proper receipt or by demand draft or bankers cheque payable to the Accounts Officer, NIFM at the following rates:-
 - a) Rupees two 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; and
 - d) For inspection of records, no fee for the first hour and a fee of rupees five for each for each fifteen minutes (or fraction thereof) thereafter.
- For providing the information under sub-section(5) of section7, the fee shall be charged by way of cash against proper receipt or by demand draft or bankers cheque payable to the Accounts Officer NIFM at the following rates:
 - a) For information provided in diskette or floppy rupees fifty per diskette or floppy; and
 - b) 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.