



Non-Imposition of Penalty

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Section 20 (1) of the Right to Information Act, 2005 provides that where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 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, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:

Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him.

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer, as the case may be.

In so far the Central Information Commission is concerned, penalty was imposed in 138 number of cases in the year 2013-14, 44 cases in the year 2014-15 and 54 cases in the year 2015-16. No data is centrally maintained for State Information Commissions.

Recovery of penalty amount from penalized officials is done by Public Authorities from their salaries. This is a continuous process. The recoveries are monitored by Central Information commission. Reminders are issued to Public Authorities when necessary,

This was stated by the Minister of State (Independent Charge) for Development of North Eastern Region (DoNER), MoS PMO, Personnel, Public Grievances, Pensions, Atomic Energy and Space, Dr. Jitendra Singh in a written reply to question by Dr. Prabhas Kumar Singh in the Lok Sabha today.

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