

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:6443
ANSWERED ON:06.05.2015
NON IMPOSITION OF PENALTY
Chautala Shri Dushyant;Sundaram Shri P.R.

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) the details of punishments prescribed for negligence of complaints relating to the Right to Information Act, 2005 (RTI);
- (b) whether Information Commissioners across the country are using a light touch to tackle complaints sparing imposition of penalty in over 96% of the cases and if so the details thereof and the reasons therefor;
- (c) the number of cases in which penalty was imposed by various Information Commissioners including CIC during 2012-2014, year-wise;
- (d) whether it is also a fact that in a number of cases, penalties have not been paid by various Ministries/Governments and officials; and
- (e) if so, the details thereof and the action taken against such departments/ officials so far?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(DR. JITENDRA SINGH)

(a) & (b): Under Section 20(1) of the Right to Information Act, 2005, the Information Commission, at the time of deciding any complaint, shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, with the total amount of such penalty not exceeding twenty five thousand rupees, if it is of the opinion that the Public Information Officer, (a) has refused to receive an application for information without any reasonable cause; or (b) has not furnished information within the time specified; or (c) malafidely denied the request for information; or (d) knowingly given incorrect, incomplete or misleading information; or (e) destroyed information which was the subject of the request; or (f) obstructed in any manner in furnishing the information.

In addition to the above, under Section 20(2), the Information Commission may also recommend for disciplinary action against such Public Information Officer.

(c)&(e): During 2012-2013 and 2013-2014, the Central Information Commission imposed penalty on Central Public Information Officers in 87 and 138 cases respectively. Penalty has not been recovered in 09 cases for the year 2012-2013 and in 51 cases for the year 2013-2014.

The Central Information Commission has reminded the concerned Public Authorities to recover the penalty amount from the salary of the penalized officers and remit the same to the Commission.

The data on penalty imposed by State Information Commissions is available in respective State Information Commissions.