

LOK SABHA

RIGHT TO INFORMATION BILL, 2004

[As introduced in Lok Sabha]

Notice of Amendments

Sl. No.	Name of the Member and text of Amendments	Clause
SHRI SURESH PACHAURI:		
1.	Page 1, For long title, substitute— “A BILL 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.” WHEREAS the Constitution of India has established democratic Republic; AND WHEREAS democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed; AND WHEREAS revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information; AND WHEREAS it is necessary to harmonise these conflicting interests while preserving the paramountcy of the democratic ideal; NOW, THEREFORE, it is expedient to provide for furnishing certain information to citizens who desire to have it;”	Long title
2.	Page 1, line 1, for "Fifty-fifth", substitute "Fifty-sixth"	Enacting formula
3.	Page 1, line 5, for "2004", substitute "2005"	1
4.	Page 1, for line 7, substitute "(3) The provisions of sub-section (1) of section 4, sub-sections (1) and (2) of section 5, sections 12, 13, 14A, 14B, 21, 24 and 25 shall come into force at once, and the	1

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	remaining provisions of this Act shall come into force on the one hundred and twentieth day of its enactment.";	
5.	Page 1, for lines 9-11, substitute— (a) "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; (b) "Central Information Commission" means the Central Information Commission constituted under sub-section (1) of section 12; (c) "Central Public Information Officer" means the Central Public Information Officer designated under sub-section (1) and includes a Central Assistant Public Information Officer designated as such under sub-section (2) of section 5; (d) "Chief Information Commissioner" and "Information Commissioner" mean the Chief Information Commissioner and Information Commissioner appointed under sub-section (3) of section 12; (e) "competent authority" means—	2
6.	Page 1, for lines 13 and 14, substitute "Assembly of a State or a Union territory having such Assembly and the Chairman in the case of the Council of States or a Legislative Council of States";	2
7.	Page 2, for lines 2 to 5, substitute— (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"	2
8.	Page 2, omit lines 7 to 10;	2
9.	Page 2, line 11 for "(d)", substitute "(f)"	2
10.	Page 2, omit lines 16 to 18	2
11.	Page 2, line 19, for "(f)", substitute "(g)"	2
12.	Page 2, in line 20, for "Government", substitute "appropriate Government"	2
13.	Page 2, for lines 21 to 25, substitute— (h) "public authority" means any authority or body or institution of self government established or constituted,— (a) by or under the Constitution;	2

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	(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 organisation substantially financed,	
	directly or indirectly by funds provided by the appropriate Government;	
14.	Page 2, omit lines 26 to 28;	2
15.	Page 2, after line 43, insert—	2
	'(k) "State Information Commission" means the State Information Commission constituted under sub-section (1) of section 14A;	
	(l) "State Chief Information Commissioner" and "State Information Commissioner" mean the State Chief Information Commissioner and the State Information Commissioner appointed under sub-section (3) of section 14A;	
	(m) "State Public Information Officer" means the State Public Information Officer designated under sub-section (1) and includes an State Assistant Public Information Officer designated as such under sub-section (2) of section 5.'	
16.	Page 2, in line 44,—	2
	(i) for "(k)", substitute "(n)"	
	(ii) for "person making", substitute "citizen making"	
17.	Page 3, for line 10, substitute "(b) publish within one hundred and twenty days from the enactment of this Act,-"	4
18.	Page 3, line 35, for "particulars of concessions", substitute "particulars of recipients of concessions"	4
19.	Page 3, lines 44 and 45, for "within such intervals in each year as may be prescribed", substitute "every year";	4
20.	Page 4, omit lines 5 to 9	4
21.	Page 4, line 12, for "communications", substitute "communications, including internet,"	4
22.	Page 4, line 15, omit "and comprehensible"	4
23.	Page 4, line 19, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	4
24.	Page 4, line 26, for "Public Information Officers", substitute "Central Public Information Officers or State Public Information Officers, as the case may be,"	5

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25.	Page 4, line 31, for "an Assistant Public Information Officer", substitute "a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be,"	5
26.	Page 4, line 33, for "it or to the Government", substitute "the Central Public Information Officer or the State Public Information Officer or senior officer specified under sub-section (1) of section 16 or the Central Information Commission or the State Information Commission, as the case may be:"	5
27.	Page 4, lines 34 to 35, for "an Assistant Public Information Officer", substitute "a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be,"	5
28.	Page 4, line 37, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	5
29.	Page 4, line 39, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	5
30.	Page 4, line 42, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	5
31.	Page 4, line 44, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	5
32.	Page 4, line 46, for "English", substitute "English or Hindi"	6
33.	Page 4, line 49, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	6
34.	Page 5, line 1, for "Assistant Public Information Officers", substitute "Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be,"	6
35.	Page 5, lines 3 and 4, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	6
36.	Page 5, line 20, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	7
37.	Page 5, line 26, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	7
38.	Page 5, line 27, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	7
39.	Page 5, line 30, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	7

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40.	Page 5, lines 42 and 43, for "Public authority", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	7
41.	Page 5, after lines 46, insert— "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."	7
42.	Page 6, line 1, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	7
43.	Page 6, lines 3 and 4, for "deemed to be rejected under sub-section (2), the Public Information Officer", substitute "rejected under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be,"	7
44.	Page 6, for lines 12 to 48, substitute— "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	8

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	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 not 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) 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";	
45.	Page 7, omit lines 1 to 14;	8
46.	Page 7, line 15, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	9

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47.	Page 7, lines 23 and 24, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	10
48.	Page 7, line 30, for "determined", substitute "calculated"	10
49.	Page 7, in lines 34 and 35, for "appellate authority, time limit, process and any other forms", substitute "senior officer specified under sub-section (1) of section 16 or the Central Information Commission or the State Information Commission, as the case may be, time limit, process and any other form of access."	10
50.	Page 7, line 36, for "public authority", substitute "Central Public Information Officer or the State Public Information Officer, as the case may be,"	11
51.	Page 7, line 38, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	11
52.	Page 7, line 40, for "Public Authority", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	11
53.	Page 7, line 47, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	11
54.	Page 8, line 1, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,"	11
55.	Page 8, line 14, for "Commission", substitute "Central Information Commission"	12
56.	Page 8, line 15, for "Information Commissioner", substitute "Chief Information Commissioner"	12
57.	Page 8, line 16, for "Deputy Information Commissioners", substitute "Central Information Commissioners"	12
58.	Page 8, line 18, for "Information Commissioner and the Deputy Information Commissioners", substitute "Chief Information Commissioner and Information Commissioners"	12
59.	Page 8, for line 22, substitute "(iii) a Union Cabinet Minister to be nominated by the Prime Minister"	12
60.	Page 8, for lines 28 to 30, substitute "Central Information Commission shall vest in the Chief Information Commissioner who shall be assisted by the Information Commissioners and may exercise all such powers and do all such acts and things which may be exercised or done by the Central Information Commission autonomously without being"	12
61.	Page 8, for lines 32 to 35, substitute "(5) The Chief Information Commissioner and Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance."	12

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	(6) The Chief Information Commissioner or an Information Commissioner shall not be"	
62.	Page 8, line 39, <i>for</i> "Commission shall be at Delhi and the Commission", <i>substitute</i> "Central Information Commission shall be at Delhi and the Central Information Commission"	12
63.	Page 8, <i>omit</i> lines 42 and 43	12
64.	Page 8 line 44, <i>for</i> "Information Commissioner", <i>substitute</i> "Chief Information Commissioner";	13
65.	Page 8 <i>omit</i> lines 46 and 47	13
66.	Page 8 line 48, <i>for</i> "Provided further that no Information Commissioner", <i>substitute</i> "Provided that no Chief Information Commissioner"	13
67.	Page 9 <i>for</i> lines 1 to 9, <i>substitute</i> "(2) Every Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office or till he attains the age of sixty-five years, whichever is earlier, and shall not be eligible for reappointment as such Information Commissioner: Provided that every Information Commissioner shall, on vacating his office under this sub-section be eligible for appointment as the Chief Information Commissioner in the manner specified in sub-section (3) of section 12: Provided further that where the Information Commissioner is appointed as the Chief Information Commissioner, his term of office shall not be more than five years in aggregate as the Information Commissioner and the Chief Information Commissioner."	13
68.	Page 9, line 10,— <i>for</i> "Information Commissioner or a Deputy Information Commissioner", <i>substitute</i> "Chief Information Commissioner or an Information Commissioner".	13
69.	Page 9, line 14,— <i>for</i> "Information Commissioner or a Deputy Information Commissioner", <i>substitute</i> "Chief Information Commissioner or an Information Commissioner".	13
70.	Page 9, line 16,— <i>for</i> "Information Commissioner or a Deputy Information Commissioner", <i>substitute</i> "Chief Information Commissioner or an Information Commissioner".	13
71.	Page 9, <i>omit</i> lines 18 to 24;	13
72.	Page 9, line 25, <i>for</i> "(6)", <i>substitute</i> "(5)"	13
73.	Page 9, lines 27 to 30, <i>substitute</i> "(a) the Chief Information Commissioner shall be the same as that of the Chief Election Commissioner; (b) an Information Commissioner shall be the same as that of an Election Commissioner,"	13

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74.	Page 9, line 31,-for "Information Commissioner or a Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or an Information Commissioner"	13
75.	Page 9, lines 34 and 35,-for "Information Commissioner or a Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or an Information Commissioner"	13
76.	Page 9, lines 38 and 39,-for "Information Commissioner or a Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or an Information Commissioner"	13
77.	Page 9, lines 42 and 43,-for "Information Commissioner or Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or an Information Commissioner"	13
78.	Page 9, line 46,-for "Information Commissioner and the Deputy Information Commissioners" <i>substitute</i> "Chief Information Commissioner and the Information Commissioners"	13
79.	Page 9, line 48, for "(7)", <i>substitute</i> "(6)."	13
80.	Page 9, lines 48 and 49, for "Information Commissioner and the Deputy Information Commissioners", <i>substitute</i> "Chief Information Commissioner and the Information Commissioners"	13
81.	Page 10, lines 4 and 5,-for "Information Commissioner or any Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or any Information Commissioner"	14
82.	Page 10, lines 7 and 8, -for "Information Commissioner or any Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or any Information Commissioner"	14
83.	Page 10, lines 11 and 12,-for "Information Commissioner or Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or Information Commissioner"	14
84.	Page 10, lines 16 and 17,-for "Information Commissioner or any Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or any Information Commissioner"	14
85.	Page 10, line 27,- for "Information Commissioner or a Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or a Information Commissioner"	14
86.	Page 10, line 28,-for "Information Commissioner or any Deputy Information Commissioner" <i>substitute</i> "Chief Information Commissioner or any Information Commissioner"	14
87.	Page 10,—after line 33, insert—	14A (New)

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"CHAPTER IV

THE STATE INFORMATION COMMISSION

Constitution of State Information Commission 14A. (1) Every State Government shall, by notification in the Official Gazette, constitute a body to be known as the (name of the State) Information Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.

(2) The State Information Commission shall consist of—

- (a) the State Chief Information Commissioner, and
- (b) such number of State Information Commissioners, not exceeding ten, as may be deemed necessary.

(3) The State Chief Information Commissioner and the State Information Commissioners shall be appointed by the Governor on the recommendation of a committee consisting of—

- (i) the Chief Minister, who shall be the Chairperson of the committee;
- (ii) the Leader of Opposition in the Legislative Assembly; and
- (iii) a Cabinet Minister to be nominated by the Chief Minister.

Explanation.—For the purposes of removal of doubts, it is hereby declared that where the Leader of Opposition in the Legislative Assembly has not been recognised as such, the Leader of the single largest group in opposition of the Government in the Legislative Assembly shall be deemed to be the Leader of the Opposition.

(4) The general superintendence, direction and management of the affairs of the State Information Commission shall vest in the State Chief Information Commissioner who shall be assisted by the State Information Commissioners and may exercise all such powers and do all such acts and things which may be exercised or done by the State Information Commission autonomously without being subjected to directions by any other authority under this Act.

(5) The State Chief Information Commissioner and the State Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance.

(6) The State Chief Information Commissioner or a State Information Commissioner shall not be a Member of Parliament or Member of the Legislature of any State or Union territory, as the case may be, or hold any other office of profit or connected with any political party or carrying on any business or pursuing any profession.

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(7) The headquarters of the State Information Commission shall be at such place in the State as the State Government may, by notification in the Official Gazette, specify and the State Information Commission may, with the previous approval of the State Government, establish offices at other places in the State.

88. Page 10, after line 33, insert—

Term of office and conditions of service	14B. (1) The State Chief Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office and shall not be eligible for reappointment:	14B (New)
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Provided that no State Chief Information Commissioner shall hold office as such after he has attained the age of sixty-five years.

(2) Every State Information Commissioner shall hold office for a term of five years from the date on which he enters upon his office or till he attains the age of sixty-five years, whichever is earlier, and shall not be eligible for reappointment as such State Information Commissioner:

Provided that every State Information Commissioner shall, on vacating his office under this sub-section, be eligible for appointment as the State Chief Information Commissioner in the manner specified in sub-section (3) of section 14A:

Provided further that where the State Information Commissioner is appointed as the State Chief Information Commissioner, his term of office shall not be more than five years in aggregate as the State Information Commissioner and the State Chief Information Commissioner.

(3) The State Chief Information Commissioner or a State Information Commissioner, shall before he enters upon his office make and subscribe before the Governor or some other person appointed by him in that behalf, an oath or affirmation according to the form set out for the purpose in the First Schedule.

(4) The State Chief Information Commissioner or a State Information Commissioner may, at any time, by writing under his hand addressed to the Governor, resign from his office:

Provided that the State Chief Information Commissioner or a State Information Commissioner may be removed in the manner specified under section 14C.

(5) The salaries and allowances payable to and other terms and conditions of service of—

- (a) the State Chief Information Commissioner shall be the same as that of an Election Commissioner;
- (b) the State Information Commissioner shall be the same as that of the Chief Secretary to the State Government:

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Provided that if the State Chief Information Commissioner or a State Information Commissioner, at the time of his appointment is, in receipt of a pension (other than a disability or wound pension) in respect of any previous service under the Government of India or under the Government of a State, his salary in respect of the service as the State Chief Information Commissioner or a State Information Commissioner shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity:

Provided further that where the State Chief Information Commissioner or a State Information Commissioner if, at the time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act or State Act or a Government company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the State Chief Information Commissioner or the State Information Commissioner shall be reduced by the amount of pension equivalent to the retirement benefits:

Provided also that the salaries, allowances and other conditions of service of the State Chief Information Commissioner and the State Information Commissioners shall not be varied to their disadvantage after their appointment.

(6) The State Government shall provide the State Chief Information Commissioner and the State Information Commissioners with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

89. Page 10, after line 33, insert—

Removal of
State Chief
Information
Commissioner
or State
Information
Commissioner

14C. (1) Subject to the provisions of sub-section (3), the State Chief Information Commissioner or any State Information Commissioner shall be removed from his office only by order of the Governor on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference made to it by the Governor, has on inquiry, reported that the State Chief Information Commissioner or any State Information Commissioner, as the case may be, ought on such ground be removed.

14C
(New)

(2) The Governor may suspend from office, and if deem necessary prohibit also from attending the office during inquiry, the State Chief Information Commissioner or State Information Commissioner in respect of whom a reference has been made to the Supreme Court under sub-section (1) until the Governor has passed orders on receipt of the report of the Supreme Court on such reference.

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	(3) Notwithstanding anything contained in sub-section (1), the Governor may by order remove from office the State Chief Information Commissioner or any State Information Commissioner if the State Chief Information Commissioner or a State Information Commissioner, as the case may be,—	
	(a) is adjudged an insolvent; or	
	(b) has been convicted of an offence which, in the opinion of the Governor, involves moral turpitude; or	
	(c) engages during his term of office in any paid employment outside the duties of his office; or	
	(d) is, in the opinion of the Governor, unfit to continue in office by reason of infirmity of mind or body; or	
	(e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the State Chief Information Commissioner or a State Information Commissioner.	
	(4) If the State Chief Information Commissioner or any State Information Commissioner in any way, concerned or interested in any contract or agreement made by or on behalf of the Government of the State or participates in any way in the profit thereof or in any benefit or emoluments arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of sub-section (1), be deemed to be guilty of misbehaviour.	
CHAPTER V		
POWERS AND FUNCTIONS OF THE INFORMATION COMMISSIONS, APPEAL AND PENALTIES		
90.	Page 10, line 34,— <i>for "Commission", substitute "Central Information Commission or State Information Commission, as the case may be,";</i>	15
91.	Page 10, line 36, <i>for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,";</i>	15
92.	Page 10, line 38, <i>for "Assistant Public Information Officer", substitute "Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be,";</i>	15
93.	Page 10, <i>for line 39, substitute, "for information or appeal under this Act for forwarding the same to the Central Public Information Officer or State Public Information Officer, or senior officer specified in sub-section (1) of section 16 or the Central Information Commission or the State Information Commission, as the case may be,";</i>	15

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94.	Page 11, line 1,—for "Commission" substitute "Central Information Commission or State Information Commission, as the case may be,";	5
95.	Page 11, line 3,—for "Commission" substitute "Central Information Commission or State Information Commission, as the case may be,";	15
96.	Page 11, line 13, for "Act of Parliament", substitute "Act of Parliament or State Legislature, as the case may be,";	15
97.	Page 11, line 14, for "Commission", substitute "Central Information Commission or the State Information Commission, as the case may be,";	15
98.	Page 11, line 19, for "Public Information Officer" substitute "Central Public Information Officer or State Public Information Officer, as the case may be,";	16
99.	Page 11, lines 20 and 21,—for "Public Information Officer" substitute "Central Public Information Officer or State Public Information Officer, as the case may be,";	16
100.	Page 11, for lines 25—33, substitute "(2) Where an appeal is preferred against an order made by a Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order. (3) A second appeal against the decision under sub-section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission: Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.";	16
101.	Page 11, line 34, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,";	16
102.	Page 11, line 35, for "Commission", substitute "Central Information Commission or State Information Commission, as the case may be,";	16
103.	Page 11, line 38, for "public authority which", substitute "Central Public Information Officer or State Public Information Officer, as the case may be, who";	16
104.	Page 11, line 43,—for "Commission", substitute "Central Information Commission or State Information Commission, as the case may be,";	16

<i>Sl. No.</i>	<i>Name of the Member and text of Amendments</i>	<i>Clause</i>
105.	Page 11, line 44,- for "Commission", substitute "Central Information Commission or State Information Commission, as the case may be,";	16
106.	Page 12, line 1, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,";	16
107.	Page 12, line 13,- for "Commission" substitute "Central Information Commission or State Information Commission, as the case may be,";	16
108.	Page 12, line 15,- for "Commission" substitute "Central Information Commission or State Information Commission, as the case may be,";	16
109.	Page 12, omit lines 17-18;	16
110.	Page 12, for lines 19 to 27, substitute—	17
"17. (1) 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. (2) 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 and persistently, failed 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		

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	obstructed in any manner in furnishing the information, it shall recommend for disciplinary action against the Central Public Information Officer or the State Public Information Officer, as the case may be, under the service rules applicable to him.	
111.	Page 12, Line 42, for "corruption" <i>Substitute</i> "corruption and human rights violations"	21
112.	Page 12, after line 43, <i>insert</i> — "Provided further that in the case of information sought for is in respect of allegations of violation of human rights, the information shall only be provided after the approval of the Central Information Commission, and notwithstanding anything contained in Section 7, such information shall be provided within forty-five days from the date of the receipt of request";	21
113.	Page 13, After line 4, <i>insert</i> — "(4) Nothing contained in this Act shall apply to such intelligence and security organisation, being organisations established by the State Government, as that Government may, from time to time, by notification in the Official Gazette, specify: Provided that the information pertaining to the allegations of corruption shall not be excluded under this sub-section: Provided further that in the case of information sought for is in respect of allegations of violation of human rights, the information shall only be provided after the approval of the State Information Commission and, notwithstanding anything contained in Section 7, such information shall be provided within forty-five days from the date of the receipt of request. (5) Every notification issued under sub-section (4) shall be laid before the State Legislature";	21
114.	Page 13, Line 5, — for "Commission", <i>substitute</i> "Central Information Commission or State Information Commission, as the case may be,";	22
115.	Page 13, in line 7 for "Central Government", <i>substitute</i> "appropriate Government";	22
116.	Page 13, line 9,- for "Commission" <i>substitute</i> "Central Information Commission or State Information Commission, as the case may be,";	22
117.	Page 13, line 17,- for "Commission" <i>substitute</i> "Central Information Commission or State Information Commission, as the case may be,";	22
118.	Page 13, line 28, for "the Central Government", <i>substitute</i> "the Central Government or the State Government, as the case may be,";	22
119.	Page 13, for lines 29-30, <i>substitute</i> "cause a copy of the report of the Central Information Commission or the State Information Commission, as the case may be, before each House of	22

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	Parliament or, as the case may be, before each House of the State Legislature, where there are two Houses, and where there is one House of the State Legislature before that House.";	
120.	Page 13, line 31, for "Commission", substitute "Central Information Commission or State Information Commission, as the case may be,";	22
121.	Page 13, line 35,— for "Central Government", substitute "appropriate Government";	23
122.	Page 13, line 45, for "Information Officers", substitute "Central Public Information Officers or State Public Information Officers, as the case may be,";	23
123.	Page 13, line 47, for "Government", substitute "appropriate Government";	23
124.	Page 14, line 3, for "Government", substitute "appropriate Government";	23
125.	Page 14, line 8, for "Public Information Officer", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,";	23
126.	Page 14, line 11, for "Public authority", substitute "Central Public Information Officer or the State Public Information Officer, as the case may be,";	23
127.	Page 14, line 12, for "Public Information Officers", substitute "Central Public Information Officer or State Public Information Officer, as the case may be,";	23
128.	Page 14, line 14, for "Commission", substitute "Central Information Commission or State Information Commission, as the case may be,";	23
129.	Page 14, line 24, for "Government", substitute "appropriate Government";	23
130.	Page 14, line 26,— for "Central Government", substitute "appropriate Government";	24
131.	Page 14, Omit Lines 30-31;	24
132.	Page 14, line 32, for "(b)", substitute "(a)";	24
133.	Page 14, line 34, for "(c)", substitute "(b)";	24
134.	Page 14, line 35, for "(d)", substitute "(c)";	24
135.	Page 14, line 36, for "(e)", substitute "(d)";	24
136.	Page 14, line 37, after "13", insert "and sub-section (6) of section 143";	24
137.	Page 14, line 38,— (i) for "(f)", substitute "(e)"; (ii) for "Commission", substitute "Central Information Commission or State Information Commission, as the case may be,";	24

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138.	Page 14, line 40, <i>for "(g)", substitute "(f)";</i>	24
139.	Page 14, <i>omit</i> lines 45-46;	25
140.	Page 14, line 47, <i>for "(ii)", substitute "(i)";</i>	25
141.	Page 14, line 49, <i>for "(iii)", substitute "(ii)";</i>	25
142.	Page 15, line 1, <i>for "(iv)", substitute "(iii)";</i>	25
143.	Page 15, line 2, <i>for "(v)", substitute "(iv)";</i>	25
144.	Page 15, <i>after</i> line 11, <i>insert-</i> "(2) Every rule made under this Act by a State Government shall be laid, as soon as may be after it is notified, before the State Legislature.";	26
145.	Page 16, lines 3 and 4, <i>for "Information Commissioner or the Deputy Information Commissioner", substitute "Chief Information Commissioner, the Information Commissioner, the State Chief Information Commissioner or the State Information Commissioner";</i>	First Schedule
146.	Page 16, lines 5 and 6, <i>for "Information Commissioner/Deputy Information Commissioner", substitute "Chief Information Commissioner/Information Commissioner/State Chief Information Commissioner/State Information Commissioner";</i>	First Schedule

NEW DELHI;
May 9, 2005
Vaisakha 19, 1927 (Saka)

G. C. MALHOTRA,
Secretary-General.