

A BRIEF REPORT ON ONE-DAY-TRAINING-CUM-WORKSHOP ON “RIGHT TO INFORMATION ACT, 2005”



केंद्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

(पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)

(Ministry of Environment Forest & Climate Change, Government of India)

परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

A TRAINING-CUM-WORKSHOP ON RIGHT TO INFORMATION ACT, 2005

Right to Information (RTI) Act, 2005 is a crucial legislation in India that empowers citizens to access information held by public authorities, promoting transparency and accountability in the government. The RTI Act plays a significant role in strengthening democracy by enabling citizens to hold the government decisions transparent and accountable.



A one-day training-cum-workshop on the provisions and guidelines of the Right to Information (RTI) Act, 2005, was conducted for Central Public Information Officers (CPIOs) and other relevant officials of Divisions at Head Office, Delhi, on January 22, 2025 for effectively handling RTI related matters in CPCB.

This workshop was held in accordance with the directions issued by DoPT vide O.M. dated April 25, 2008. The aim of the training was to familiarize the officials with key aspects of the RTI Act, 2005, its application, and their respective roles & responsibilities to ensure its effective implementation. A total 44 officials have participated in the workshop on January 22, 2025. The list of the participants attached as an **Annexure-I**.



Shri S.R. Dhaleta, Ex- Indian Legal Service Officer and Joint Secretary & Legislative counsel, Ministry of Law and Justice.

He was involved in the formation of the RTI Act, 2005 and possesses extensive knowledge of its provisions of the Law, rules and regulations, was invited as the guest speaker/ subject expert at the workshop. His role was to enlighten the officials of CPCB about the RTI Act and help them to understand its provisions deeply, enabling them to discharge their duties more effectively.



Shri Sangh Mitter, DH-Environment Training Unit (ETU) introduced the participants to the profile of Shri S.R. Dhaleta and expressed gratitude for his acceptance of CPCB's invitation.

Additionally, Shri G. Thirumurthy, DH-Pollution Control and Planning (PCP) & Nodal Officer of the RTI at CPCB, briefed Shri Dhaleta on the functioning and process of handling RTI applications within CPCB. He also informed him about the various directions and guidance issued by the competent authority through Office Memorandums or Notes to ensure the effective implementation of the RTI Act. Also, he shared the details of RTIs applications and Appeals received by CPCB over the past five years, along with their disposal status. He pointed out that the appeal rate has increased from 6.5% to about 10% over the years, highlighting CPCB's concerns and the importance of organising such training programs to ensure the effective disposal of RTI applications.



At the outset, Shri Dhaleta greeted all the participants and thanked CPCB for inviting him as the speaker. He also expressed gratitude to the DH-PCP for providing him with an overview of the working of various divisions of CPCB. This overview would help him, understand the possible challenges faced by them and, thereby enabling him to address their queries more effectively.



Shri Dhaleta briefed the participants on the matters he dealt with during his extensive experience in the Ministry of Law and Justice. He also informed them about the necessity of the RTI Act, the demands of the RTI activist, and the country's situation at that time, which led to the urgent need for such an act and its formulation. Additionally, Shri Dhaleta provided information about the timeline of the introduction of RTI Act in various States of India. He further explained the true meaning of "information" that can be requested under the RTI Act and the source from this information can be derived.

Shri Dhaleta elaborated on the true meaning of public authority, the mandatory obligations of public authorities, the concept of deemed PIO, and who qualifies as an appellate authority. He explained the various modes in which information can be requested or provided, and, outlined the types of information that may be exempted under the RTI Act.



Additionally, Shri Dhaleta advised the participants on the best practices for responding to RTI applications, emphasizing that the integrity of the CPIO should not be questioned. He also discussed about the various Central Information Commission (CIC) judgements and cases, where the commission has reviewed the integrity of PIO, which should remain unquestionable.



Participants has raised queries about common challenges they face when responding to RTI applications, such as those related to procurement matters, court cases, and official documents. Shri Dhaleta addressed these queries calmly, educating the officials about the provisions of the RTI Act that may help them formulate ideal responses to minimize appeals. The brief details of questions raised and the corresponding answers/ clarification given by Shri Dhaleta are attached as **Annexure-II**.

There was a very highly productive and engaging discussion among the participants and Shri Dhaleta throughout the workshop. Every doubt or query by a participant was promptly addressed by Shri Dhaleta, who, leveraging his vast expertise, experience and

direct involvement in the formulation of the Act, provided valuable insights.



At the end of a day, DH-PCP and DH-ETU thanked Shri Dhaleta for enlightening the officials of CPCB about the RTI Act, 2005 and addressing the challenges and difficulties they face. All the participants expressed their gratitude to Shri S.R. Dhaleta, DH-ETU and DH -PCP for organizing such a fruitful and informative workshop. They emphasised the need for periodic workshops to address the challenges and deepen their understanding of the RTI Act, 2005, for its effective implementation and to fulfil the vision for which the Act was introduced. DH-PCP thanked the officials of ETU and PCP Division for their support and co-ordination in successfully conducting this programme.



LIST OF PARTICIPANTS**ONE-DAY-TRAINING-CUM-WORKSHOP ON “RIGHT TO INFORMATION ACT,
2005”
(ON JANUARY 22, 2025)**

S.No.	Name & Designation	Division
Central Public Information Officers (CPIOs)		
1.	Shri G. Thirumurthy, Scientist “E” & DH- PCP	Pollution Control Planning
2.	Shri Sangh Mitter, AO & DH-ETU & Rajbhasha Vibhag	Environmental Training Unit & Rajbhasha Vibhag
3.	Shri Sanjay Kumar, Scientist “E”	Trace Organic Lab
4.	Smt. Madhu Luthra, AO	Administration (Personnel)
5.	Sh. Avdhesh Tiwari, Assistant Director (Official Language)	Rajbhasha Vibhag
Dealing Official/ Representatives of CPIOs		
6.	Smt. Namita Mishra, Scientist “E”	Instrumentation Lab
7.	Smt. Anjna Singh, Scientist “E”	Pollution Control Planning
8.	Smt. Youthika Puri, Scientist “E”	Waste Management-I
9.	Smt. Suniti Parashar, Scientist “D”	Urban Pollution Control-II
10.	Shri C.K. Dixit, Scienist “D”	Urban Pollution Control-I
11.	Shri Vinay Prabhakar, Scientist “C”	Industrial Pollution Control-IV
12.	Smt. Hima Jwala, Scientist “C”	Bio. Science Lab
13.	Smt. Sasi Devi, Scientist “C”	Water Lab
14.	Shri Bhimsen Gupta, Scientist “B”	Industrial Pollution Control-I
15.	Shri Arvind Kumar, Scientist “B”	Industrial Pollution Control-II
16.	Ms. Jigyasha Soni, Scientist “B”	Industrial Pollution Control-III
17.	Shri Abdul Muteen, Scientist “B”	Industrial Pollution Control-V
18.	Shri Prakhar Srivastava, Scientist “B”	Industrial Pollution Control-VI

S.No.	Name & Designation	Division
19.	Ms. Chitrakshi, Scientist “B”	Industrial Pollution Control-VII
20.	Shri Sundaram, Scientist “B”	Air Quality Management
21.	Shri Deepak Gautam, Scientist “B”	Air Quality Monitoring Network
22.	Shri Deepak Kumar, Scientist “B”	Air Lab
23.	Shri Ramandeep, Scientist “B”	Research & Development
24.	Shri Abhas Kumar Maharana, Scientist “B”	Water Quality Management-II
25.	Shri Vikas Rawat, Section Officer	Administration (Coordination & Medical)
26.	Shri Rakesh Ahuja, Senior Technical Supervisor	Building
27.	Shri Shamsheer Thakur, Senior Scientific Assistant	Waste Management-III
28.	Ms. Deepa Kumari, Senior Scientific Assistant	Water Quality Management-I
29.	Smt. Tulika Saha, Senior Scientific Assistant	Assistant Secretary
30.	Shri Pankaj Kumar, Assistant	Administration (Material)
31.	Shri Budhram Shah, Upper Division Clerk	Environmental Training Unit
32.	Shri Abhishek Bhardwaj, Assistant	Administration (Recruitment)
33.	Ms. Pooja Rani, Data Processing Assistant	Information Technology
34.	Shri Satish Kumar, Publication Assistant	Public Relations
35.	Shri Md. Aamir, Accounts Assistant	Finance & Accounts
36.	Shri Narendra Gurjar, Upper Division Clerk	Law
37.	Shri Rahul Sharma, Upper Division Clerk	Pollution Control Planning
38.	Shri Saurabh Gairola, Scientist “B”	Waste Management-II
39.	Shri Krishan Gopal Yadav, Assistant	Administration (Personnel)
40.	Shri Arbind Kumar, Upper Division Clerk	Building
41.	Shri Podilapu Chaitanya, Scientist “B”	Pollution Control Planning

S.No.	Name & Designation	Division
42.	Shri Mukul Mani Tripathi, Scientist “B”	Pollution Control Planning
43.	Shri Abu Huzaifa, Senior Research Fellow	Pollution Control Planning
44.	Smt. Dolly Kulshreshtha, Scientist “B”	Air Lab
45.	Shri Himanshu Shekhar, Scientist “B”	Air Lab
46.	Shri Adarsh Sah, Lower Division Clerk	Administration (Recruitment)

**QUESTIONS AND ANSWERS RAISED DURING ONE-DAY-TRAINING-CUM-
WORKSHOP ON "RIGHT TO INFORMATION ACT, 2005"**

(ON JANUARY 22, 2025)

Q1: What is the purpose of the Right to Information Act, 2005 (RTI)?

Ans.: The Right to Information Act, 2005 aims to empower citizens to access information from public authorities. It promotes transparency, accountability, and reduces corruption by ensuring that public authorities provide information as mandated by law. The goal is to make the functioning of government bodies more open and accessible to the public.

Q2: How should questions such as "Who," "How," "What," etc., be addressed in an RTI application?

Ans.: If the requested information is available, provide as much information as possible without focusing on the exemptions and guidelines of the RTI Act, 2005. The primary goal of the Act is transparency, so if the information is available, it should be provided.

Q3: What should be the reply if an applicant asks for reports or matters related to Court Cases?

Ans.: Information pertaining to matters currently pending before the Hon'ble Courts be withheld on the grounds that the matter is sub-judice.

Q4: How should RTI applications that are transferred multiple times from other Public Authorities be addressed?

Ans.: When an RTI application is transferred multiple times between public authorities, it can be quite frustrating for the applicant. According to the RTI Act, 2005, the process should be handled efficiently to ensure timely responses.

As per Section 6(3) of the RTI Act, the application should be transferred to the appropriate public authority within five days of receipt. The applicant must be informed immediately about the transfer. The Central Public Information Officer (CPIO) is responsible for ensuring that the application is transferred correctly. If the transfer is delayed, the Information Commissioner can seek an explanation from the CPIO

A reply should be provided only once. For subsequent transfers concerning the same applicant and subject, it is sufficient to note that a reply has already been provided and keep the other applications on record

Q5: How should information be provided if it is very vast?

Ans.: If the information is too vast to share in hard copies, it can be provided by allowing the applicant to inspect the documents. This approach avoids unnecessary resource wastage while still fulfilling the goal of transparency as per the RTI Act, 2005.

Q6: What is the difference between a public authority, autonomous body, and statutory body?

Ans.:

- **Statutory Body:** An organization established by a statute (Act of Parliament) and operates within the legal framework set by the statute.
- **Autonomous Body:** An organization with its own source of funding, typically registered under the Societies Registration Act or similar legislation. Functions independently but may receive government support.
- **Public Authority:** Any organization that receives financial assistance from the government, either fully or partially. Includes government departments, public sector undertakings and other bodies governed by the government.

Q7: What is the process for rejecting an RTI application?

Ans.: The Central Public Information Officer (CPIO) reviews the application to determine if it fulfills the criteria set by the RTI Act. The reasons for rejection includes the following:

- a) The information sought is exempt under Section 8 or 9 of the RTI Act.
- b) The application concerns personal information without any public interest justification.
- c) The application is vague, incomplete, or fails to specify the information required.
- d) The request involves disproportionate diversion of resources

If the application is rejected, the CPIO must issue a written rejection notice to the applicant within 30 days of receipt of the application. The notice should include:

- The reasons for rejection.
- Information about the applicant's right to appeal.
- The contact details of the appellate authority.

The applicant has the right to file an appeal against the rejection. The first appeal can be made within 30 days from the date of rejection. If the first appeal is denied, the second appeal can be made to the Central Information Commission (CIC).

Q8: What are the exemptions from disclosing information under RTI?

Ans.: The Right to Information Act, 2005 provides various exemptions under which public authorities can refuse to disclose certain information. The key exemption listed in Section 8 and 9 of the RTI Act are as follow:

1. **National Security:** Information that would affect the sovereignty, integrity, security, strategic, scientific, or economic interests of the state, or lead to incitement of an offense.
2. **Intellectual Property and Trade Secrets:** Information, the disclosure of which would harm competitive position or intellectual property rights, including trade secrets or commercial confidence.
3. **Confidential Information:** Information received in confidence from a foreign government.
4. **Public Safety and Law Enforcement:** Information that would impede the process of investigation or apprehension or prosecution of offenders.
5. **Cabinet Papers:** Records of Cabinet papers including records of deliberations of the Council of Ministers, Secretaries, and other officers.
6. **Personal Information:** Personal information which would cause an unwarranted invasion of the privacy of an individual unless it involves a larger public interest.
7. **Fiduciary Relationships:** Information available to a person in their fiduciary relationship unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information.

8. **Legislative Privilege:** Information that is subject to legal privilege, such as communication between an attorney and client.
9. **Commercial Interests:** 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.
10. **Protected Disclosures:** Information which would disproportionately divert the resources of the public authority or would be detrimental to the safety or security of certain systems.

It's important to note that the exemptions are subject to public interest considerations. In some cases, information can still be disclosed if the public interest in disclosure outweighs the harm to the protected interests.

Q9: How should an RTI application be addressed if someone requests information urgently for their thesis, research, or court cases?

Ans.: The RTI Act mandates providing information within 30 days. There is no obligation to expedite information for personal needs, as accuracy should not be compromised. Applicants should have applied earlier if they needed the data urgently. However, such requests may be considered on humanitarian grounds, though urgency is not mandated by law.

Q10: What type of information is considered related to the life of a person and must be provided within 48 hours?

Ans.: When an RTI application involves information related to the life or liberty of a person, the Central Public Information Officer must provide the information within 48 hours. Although the RTI Act does not explicitly define "life-related matters," it generally encompasses:

1. **Medical Emergencies:** Information that could be critical to someone's health or well-being.
2. **Life-saving Information:** Details that could prevent harm or save lives.
3. **Threats to Personal Safety:** Information that could mitigate immediate threats to an individual's safety.

The CPIO must exercise judgment to determine whether the information pertains to these urgent and critical situations. Prioritizing the urgency of such matters ensures compliance with the RTI Act's provisions.

Q11: Can an applicant ask for information in any language?

Ans.: An applicant can request information in any of the 22 languages listed in the Eighth Schedule of the Constitution of India (e.g., Tamil, Bengali, Telugu, Urdu, Marathi, Gujarati, Punjabi, etc.). If the RTI application is in a language other than the public authority's official language (e.g., English or Hindi), the authority should make necessary arrangements to respond within the stipulated time, even if it requires translation.

Q12: What is the significance of the "Public Interest" test in RTI?

Ans.: The "Public Interest" test is indeed significant in the Right to Information (RTI) framework. It plays a pivotal role in determining whether personal or exempt information should be disclosed.

The "Public Interest" test is used to balance the need for transparency against the potential harm that could arise from disclosing certain types of information. Even if the information falls under an exemption outlined in the RTI Act, it may still be disclosed if the public interest in disclosure outweighs the harm caused by withholding the information.

Q13: Can information be denied if it pertains to the internal communications of the government?

Ans.: Yes, internal communications within the government, such as deliberations or consultations, Noting and comments on policy matters, may be exempt from disclosure under the RTI Act. However, if such information has been made public or has significant public interest, it may be disclosed.

Q14: What should we do if an application is taking time and we are not able to provide an answer within 30 days?

Ans.: If compiling the required information is taking more time than expected, we should inform the applicant with a provisional reply. The reply should state that we are in the process of compiling the necessary information, which may take longer than anticipated and could exceed the 30-day limit. We should kindly request the applicant to be patient and assure them that we are doing our best to provide the correct and available information as soon as possible.



Smaller Steps, Bigger Impacts

Ways To Save Water

Fix leaks promptly



Use sprinklers for irrigation



Reuse water whenever possible



Try to run your dishwasher, washing machine, and dryer generally at full loads



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