

Roll No: -----



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

Name:	
Enrolment No:	
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, December 2018	
Course: Right to Information	Semester: IX
Programme: BTECH (CSE) LLB Cyber law 2014, BTECH (ET) LLB IPR 2014	
Time: 03 hrs.	Max. Marks: 100
Instructions:	

SECTION A

S. No.		Marks	CO
Q 1	Is there a time limit specified in the RTI Act, 2005 within which an Information Commission should decide on a complaint? a. 2 months b. 30 days c. 6 months d. None of the above	2	2
Q 2	Can an applicant seek opinions of authorities under the RTI Act? Give reasons.	4	1
Q 3	What are the provisions relating to Records Management in Public Authorities under RTI Act, 2005?	4	1

SECTION B			
Q 4	State the difference between public authority and competent authority.	10	1
Q 5	Discuss various punishments provided under the Right to Information Act with special reference to the power of the commission to award compensation.	10	2
Section C			
	Statement of question (Attempt any two)	20	
Q 6	'Informed citizenry and transparency are the essentials of democracy' elucidate.	10	1,4
Q 7	An applicant filed an RTI application before BSNL seeking details of the SIM cards issued by it to its subscribers in a particular locality. Can it be provided ?	10	4
Q 8	Explain the procedure for appointing and removing the Chief Information Commissioner or Information Commissioner from his office.	10	2
SECTION-D			
Q 9	<p>An applicant sought information from the Public Information officer of University of Rajasthan that why a librarian post in his department was lying vacant for the last 10 years. PIO rejected the application and along with rejection order PIO sent details of Central Information commission as first appellatant authority. Answer the following:</p> <p style="margin-left: 40px;">a. What are powers of central information commission under RTI Act?</p> <p style="margin-left: 40px;">b. Decide, whether CIC is bound to decide the case as first appellatant authority?</p>	20	1,2
Q 10	<p>The case pertains to one Dr. Venkateswar Prasad who had studied in AIIMS and got an MBBS degree in the year 1986 and later opened a deluxe hospital, the „Krishna Institute of Medical Science (KIMS) in Hyderabad. Dr. Prasad treated Shri Sanjeev Kumar Jain“s son who allegedly died at his hands. Shri Sanjeev Jain and his wife Smt. Anju Jain, a lecturer in Zoology, felt that Dr. Prasad was not a competent doctor and according to them on further enquiries, they discovered several discrepancies in the certificates the doctor had earned not only during his term of education, but even</p>	30	1,2,3

later. There were also discrepancies in the details of the passport that he had used to go to America. The couple, Shri Jain and Mrs. Anju Jain delved further into the matter and were convinced that this is a case of a fake doctor. To strengthen their case, as also to procure documents to pursue the matter further, they applied to AIIMS to provide them with photocopies or certified copies of the degrees and certificates that the AIIMS has in possession regarding this doctor. They also applied to the Regional Passport office, New Delhi for details of the passport number as well as the photograph on Dr. Prasad's passport in order to find out whether he was using more than one passport.

- A. Discuss whether these disclosures invade the privacy of the Doctor?
- B. What can be the challenges against such disclosures?
- C. Is there a public interest in disclosure of the requested information?

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SECTION A

S. No.		Marks	CO
Q 1	What is the obligation of public authority regarding voluntary disclosure?	3	1
Q 2	Can a PIO refuse to accept an application for information if it does not concern the Public Authority it belongs to? What should be done in such cases?	4	2
Q 3	What is 'Competent Authority as referred to in the RTI Act, 2005'?	3	1

SECTION B

Q 4	Explain the constitution and powers of the Central Information Commission.	10	2
Q 5	'Right to Information is not restricted only to Right to Information Act.' Comment.	10	1

SECTION-C

	Statement of question (Attempt any two)	20	CO
Q 6	Are there any conflicts between Right to information and other enactments aiming to protect their business sensitive information like Patents Act and Copyright?	10	3
Q 7	Can an illiterate person demand that PIO should reduce his application in writing?	10	2
Q 8	Explain the constitution, powers and functions of State Information Commission.	10	2

SECTION-D

Q 9	<p>The Applicant requested some information relating to an inquiry against a particular company. PIO treated this request as third party information and this request was referred to the company which objected to its disclosure. PIO denied such information and conveyed the objections of the company to the applicant.</p> <p>a. What is 'third party information' and rules regarding the same? b. Decide whether the action taken by the CPIO is as per the spirit of Right to Information Act, 2005.</p>	20	1, 2, 4
Q 10	<p>Mr. shukla filed an application before the PIO of Forest Department of Uttar Pradesh, seeking information regarding permission granted to cut the trees in forest area to a private university for expansion. The Public Information officer demanded a proof of citizenship from Mr. shukla. Later the application was rejected by the PIO on the ground of non-submission of citizenship proof. Aggrieved of the decision of PIO, applicant wants to file an appeal. Answer the following:</p> <p>a. Whether the demand of PIO justified under RTI Act? b. What are the obligations/duties of PIO under RTI Act? c. On what grounds Mr. Shukla can file first appeal?</p>	30	1,2 &4