

FREEDOM OF INFORMATION ACT, 2002

CHAPTER III

MISCELLANEOUS

13. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.
14. Act to have overriding effect.-The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923 (19 of 1923), and any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.
15. Bar of jurisdiction of courts.-No court shall entertain any suit, application or other proceeding in respect of any order made under this Act and no such order shall be called in question otherwise than by way of an appeal under this Act.
16. Act not to apply to certain organizations.-
- (1) Nothing contained in this Act shall apply to the intelligence and security organisations, specified in the Schedule, being organisations established by the Central Government or any information furnished by such organisations to that Government.
 - (2) The Central Government may, by notification in the Official Gazette, amend the Schedule by including therein any other intelligence or security organisation established by that Government or omitting therefrom any organisation already specified therein and on the publication of such notification, such organisation shall be deemed to be included in or, as the case may be, omitted from the Schedule.
 - (3) Every notification issued under sub-section (2) shall be laid before each House of Parliament.
 - (4) Nothing contained in this Act shall apply to such intelligence and security organisations which may be specified, by a notification in the Official Gazette, by a State Government from time to time.
 - (5) Every notification issued under sub-section (4) shall be laid before the State Legislature.
17. Power to make rules by Central Government.-
- (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
 - (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
 - (a) intervals at which matters referred to in sub-clauses (i) to (vi) of clause (b) of section 4 shall be published;
 - (b) the fee payable under sub-section (1) of section 7;
 - (c) the authority before whom an appeal may be preferred under sub-section (1) of section 12;
 - (d) any other matter which is required to be, or may be, prescribed.
18. Power to make rules by State Government.-
- (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
 - (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
 - (a) the fee payable under sub-section (1) of section 7;
 - (b) the authority before whom an appeal may be preferred under sub-section (1) of section 12;
 - (c) any other matter which is required to be, or may be, prescribed:

Provided that initially the rules shall be made by the Central Government by notification in the Official Gazette.

19. Rule making power by competent authority.-

- (1) The competent authority may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
 - (a) the fee payable under sub-section (1) of section 7;
 - (b) the authority before whom an appeal may be preferred under sub-section (1) of section 12;
 - (c) any other matter which is required to be, or may be, prescribed.

20. Laying of rules.-

- (1) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
- (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.

21. Power to remove difficulties.-

- (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removal of the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.

- (2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.