

BOOKLET ON

**RIGHT TO
INFORMATION: LAW,
POLICY AND
GOVERNANCE**



DECODING RTI



NATIONAL CAMPAIGN FOR PEOPLES RTI
FORMED IN 1996

TAMIL NADU BECAME FIRST INDIAN STATE
TO PASS RTI LAW IN 1997



FREEDOM OF INFORMATION (FOI) ACT, WAS
PASSED IN 2000.

RTI ACT WAS PASSED IN 2005.

Right to Information Act, 2005 endorses prompt response to citizens' requests for seeking information concerning the Government. It is an initiative taken by the Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions to provide a- RTI Portal Gateway to the citizens to seek information quickly on the details of first Appellate Authorities, PIOs etc. amongst others, in addition to access to RTI related information / disclosures published on the web by various public authorities under the Government of India as well as the State Government.

This **primary objective** of the Right to Information Act, 2005 is to entitle citizens to solicit information, foster transparency and accountability in the working of Government, contain corruption, and uphold the democratic ideals to help people in real sense. It is a known fact, that an informed citizen is better qualified to keep necessary vigil on the workings of government and make them accountable to the governed. The Act is a necessary and a huge step towards making the citizens informed about the functioning of the Government which eventually leads to better governance.

HOW TO FILE AN RTI



IDENTIFY THE RELEVANT DEPARTMENT FROM WHICH THE INFORMATION IS TO BE SOUGHT

WRITING YOUR RTI APPLICATION IN THE PRESCRIBED FORMAT (NOT MANDATORY)



ATTACH APPLICATION FEE OF RS. 10/- IN THE FORM OF INDIAN POSTAL ORDER.

SEND YOUR RTI APPLICATION VIA SPEED POST/REGISTERED POST AND WAIT FOR THE GOVERNMENT'S RESPONSE.



IF YOU DON'T GET A REPLY WITHIN 30 DAYS OF SENDING THE APPLICATION, YOU CAN FILE FIRST APPEAL WITH THE FIRST APPELLATE AUTHORITY OF THE DEPARTMENT.

IF YOU ARE NOT SATISFIED WITH THE DECISION OF THE FIRST APPEAL, YOU CAN FIND SECOND APPEAL IN THE STATE INFORMATION COMMISSION WITHIN 3 MONTHS OF THE DECISION OF SECOND APPEAL.

THE APPLICANT SHOULD MENTION THE ADDRESS AT WHICH THE INFORMATION IS REQUIRED TO BE SENT. THE APPLICANT NEED NOT SPECIFY ANY REASON FOR REQUESTING THE INFORMATION OR ANY PERSONAL DETAILS EXCEPT THAT INFORMATION REQUIRED CONTACTING THE APPLICANT FOR AN ANSWER.

DETAILED RULES FOR APPEAL



- IF THE PUBLIC INFORMATION OFFICER (PIO) HAS REJECTED YOUR APPLICATION TO PROVIDE THE SOUGHT INFORMATION, FIRST APPEAL HAS TO BE FILED WITHIN 30 DAYS FROM THE DATE OF RECEIPT OF COMMUNICATION FROM THE CPIO.
- IF THE PUBLIC AUTHORITY IS UNABLE TO SUPPLY THE INFORMATION WITHIN 30 DAYS
- IF NO REPLY IS RECEIVED WITHIN 30 DAYS (35 DAYS IF THE APPLICATION IS LODGED WITH ACPIO), THEN THE FIRST APPEAL HAS TO BE FILED WITHIN 30 DAYS FROM THE DATE WHEN THE REPLY WAS DUE FROM CPIO
- IF PUBLIC AUTHORITY HAS NOT APPOINTED AN ASSISTANT PUBLIC INFORMATION OFFICER/ PUBLIC INFORMATION OFFICER TO RECEIVE THE APPLICATION OR TO SUPPLY THE SOUGHT INFORMATION
- IF YOU ARE NOT SATISFIED WITH THE JUDGMENT OF FIRST APPELLATE OFFICER OR IF YOU THINK THE INFORMATION PROVIDED BY PUBLIC AUTHORITY IS MISLEADING, INCOMPLETE OR FALSE YOU MAY FILE A SECOND APPEAL



CASE LAWS ON RTI

R. RAJAGOPAL & ANR. V. STATE OF TAMIL NADU, 1995 AIR 264, SUPREME COURT OF INDIA

Officials do not have the right to impose prior restraints on the publication of materials that may be defame the State

SUPREME COURT OF INDIA V. SUBHASH CHANDRA AGARWAL, W.P. (C) 288/2009, DELHI HC

Asset declarations of Supreme Court judges should be disclosed if there is public interest in disclosure; where the interest is shown, the authority should consult the judge concerned and balance the interest in disclosure against privacy concerns.

SUPREME COURT OF INDIA V. SUBHASH CHANDRA AGARWAL, W.P. (C) 288/2009, DELHI HC

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SUBHASH CHANDRA AGARWAL V INDIAN NATIONAL CONGRESS & ORS., LAWS(CI)-2015-3-1

Political parties have to designate Chief Public Information Officers who would respond to the RTI requests made by the complainants.

**NATIONAL CONFERENCE CUM WORKSHOP ON
RTI: LAW, POLICY AND GOVERNANCE**

ORGANISED BY
RAJIV GANDHI UNIVERSITY OF LAW, PUNJAB

IN COLLABORATION WITH
PUNJAB STATE INFORMATION COMMISSION

CENTRE FOR ADVANCED STUDIES IN LABOUR WELFARE, RGNUL PUNJAB