

RTI Manual

The Right to Information

The Right to Information Act, 2005 gives us a Golden opportunity and an important power in our hands of common man today. to hold the Government & its departments accountable.. To make them answerable for everything that they do or intend to do in the name & for “We the People of India”.

Basic Features of the RTI Act, 2005

Easy & Simple process.

- No lengthy documents or procedures to be followed. No fix format.
- Can be filed on plain paper or through E-mails also.
- Nominal fee of Rs.10 (rupees ten) only per RTI application is charged.
- Complete confidentiality as to the identity of the applicant, communication is strictly between the applicant and the concerned government or public authority.
- Reply from the concerned department within 30 days.
- The applicant has a further right to appeal in the following cases;
- No reply received within 30 days, or
- Refusal to reply or rejection of application , or
- Incorrect, misleading or false reply received.

In case of dissatisfaction from the result of first appeal, provision for a Second Appeal before Central Information Commission.

- ❖ Are you worried or troubled about the exact status or other action taken on your file pending before any government department? Or, do you want to inquire about any matter or seek other information from any relevant government departments?

Well then, help is just ‘A letter away’

“The Right to Information Act, 2005”

A. What is the Right to Information? How will it help you?

- The Right to Information empowers the citizens to seek & access all such information which lies under the control of the Government or other public authority.
- By simply filing ‘a letter’ or application under the RTI with the concerned public authority or government department, you can ask them to give you the exact status of concerned File, action taken or other information you may seek.
- The government is thus no longer in a position to conceal such matters including File notings which are now within public domain.

B. What is the Nature & Extent of the Information which can be sought under the RTI?

- One can seek any type or nature of information in any material or in any form. It includes written data such as reports, papers etc & Data in electronic forms such as those held in computers, disks, video tapes etc

C. Are there any limitations on the nature of Information which can be sought under the RTI?

- Yes, there are certain matters which are not covered within the scope of the RTI & are thus exempted from disclosure. These include;
- Sensitive information which may affect the security or other strategic interests of India. Such matters which if disclosed would lead to committing any offence or incite communal, religious or other violence
- Matters which are prohibited from disclosure by any Court, the Central or State legislature
- Matters protected by trade secrets & Intellectual property rights, Also, there are special provisions relating to third party information and information can only be provided after following that process.

D. What is the procedure to file an RTI? To whom should it be addressed?

- Every government department or Public Authority has a designated 'Public Information Officer' (PIO) who is responsible to supply information for his concerned department.
- An RTI application can be made on plain paper in writing or through E-mail addressed to the concerned PIO, or in his absence to the 'Central Public Information Officer'.
- It must clearly state the name & complete postal address of the applicant along with the nature of information sought.
- A nominal fee of Rs. 10 (Ten Rupees) is charged per RTI application, payable either in cash, through DD or cheque or postal order to the Accounts Officer of concerned department.
- Application may be made either in Hindi, English or any regional language of the area and delivered either via post or personally at the office of the concerned PIO.

Our Right to Appeal under the RTI Act, 2005

First Appeal

An RTI applicant has the right to prefer a First Appeal in the following cases;

- ✚ If the concerned Public Information Officer (PIO) has not replied within the prescribed period of 30 days (in general case) or within 48 hours (in an urgent request case) from the time of receipt of such application
- ✚ If the concerned PIO has rejected or refused to Reply to the RTI Application. In Case the PIO does not reply within the stipulated period of 30 days or extended 5 days where application is transferred, it is deemed refusal.
- ✚ If the RTI Applicant is not satisfied with the reply given to him

>> The First Appeal must be filed within 30 days from the date of receipt of reply or from the date of expiry of such day when the reply from the PIO should have reached the RTI applicant.

>> The First Appellate Authority is bound to dispose off the appeal within 30 days or in exceptional cases within 45 days from the receipt of the appeal.

Second Appeal

- ✚ If the Appellate Authority fails to pass an order on the First Appeal within the prescribed time of 30 days, or if the RTI applicant is not satisfied with the decision of the Appellate Authority, you are then entitled to prefer a Second Appeal before the Central Information Commissioner (CIC) within 90 (ninety) days from the date of the decision or when it should have been made.
- ✚ The procedure of Second Appeal is also very simple. You need to apply to Central Information Commission with the details of rti application no. and date and details of PIO including the copies of RTI application, reply of PIO, first appeal, decision of first appeal and any other document which is important to the appeal.

Complaint to CIC

One may also make a complaint to Central Information Commission in certain cases when you are unable to submit an RTI Application or when information has been refused or false misleading information has been provided or you have been asked to pay certain amount which is not required to be deposited.

The information has been provided in support and collaboration with **Mata Laxmi Devi Social Welfare Trust (MLD Foundation)**. If you require any further information relating to any issue concerning RTI Act, 2005, RTI Application or Appeal procedure etc., **Please feel free to contact on 9810952888** (only on Saturday and Sunday)

Connect to MLD Foundation on Facebook and check regular updates on RTI.

Disclaimer :

The information on this page has been taken from Handbills/Brochures issued and published by **Mata Laxmi Devi Social Welfare Trust {MLD Foundation}** on RTI Act, 2005 and other open sources like public and government websites. Kindly refer to official website of CIC (www.cic.gov.in) and RTI portal of govt (www.rti.gov.in).