

RIGHT TO INFORMATION ACT-2005

Right to Information Act 2005 empowers every citizen of India to

- Ask any questions from the Government or to seek any information
- Take copies of any government documents.
- Inspect any government documents.
- Inspect any Government works
- Take samples of materials of any Government work.

This act is applicable to the whole of India except the State of Jammu and Kashmir.

It came into force on 12th October-2005

It overrides the 'Official Secrets Act-1923 and similar laws/rules.

Objective of the Act is to ensure greater and more effective access to information. To make the Freedom of Information Act 2002 more progressive, participatory and meaningful.

It aims to ensure maximum openness and transparency in the machinery and functioning of Government at all levels: Central, State and Local. All citizens of India have the right to information.

With the RTI Act, providing information is the norm and secrecy is an exception

All bodies, which are constituted under the Constitution or under any law or under any Government notification including NGOs and all private bodies, which are owned, controlled or substantially financed by the Government are directly covered under the RTI act. Others are indirectly covered.

A person who desires to obtain any information under this Act can make a request in writing or through Electronic means. Request may be made in English or Hindi in the official language of the area accompanied by the prescribed fee.

Application should be made to the Central public Information (CPIO) Officer or State Public Information Officer (SPIO) of the concerned public authority/The Central Assistant Public Information Officer (CAPIO) or State Assistant Public Information Officer (SAPIO)

Request can be made orally, where such request cannot be made in writing the Central Public Information Officer or the State Public Information Officer, as the case may be should render all reasonable assistance to the person making the request orally to reduce the same in writing.

No need to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him/her.

You can send request to the PIO C/O Head of Department if you do not know the exact name or Department to whom the information is concerned of the Information Officer. It is his responsibility to transfer this to the concerned PIO .By this process timing to provide information can be delayed to only 5 days.

For each state Fee, Mode of payment and charges for photocopies and electronic documents is different .So pay according to the State rules and regulations. For details go to rti.gov.in

Information should be provided within 30 days of the receipt of the application. If the information sought concerns the life of liberty of a person, then it should be provided within 48 hours of the receipt of the request.

Applicant should be provided the information free of charge where a public authority fails to comply with the time limits specified.

If Public Information Officer fails to provide the necessary information in the decided time frame than he/she can be punished Rs.250/- each day till application is received or information is furnished but it shall not exceed Rs.25000/-

If Central Public Information Officer or State Public Information Officer reject any request made by an applicant for information the officer shall communicate to the person the reasons, the period within which an appeal against such rejection may be preferred and the particulars of the Appellate Authority.

Information's Exempted from disclosure shall not be disclosed except the cases of corruption and Human Rights Violation.

Where such a request for providing access would involve an infringement of copyright subsisting in a person other than the State the Officer concerned may reject a request for information.

If you do not receive information or are dissatisfied with the information received, you can file an appeal with the first appellate authority within 30 days of receipt of information or within 60 days of filing RTI application.

If you do not receive information even after the first appeal then you can file a second appeal within 90 days of disposal of first appeal with the Central Information Commission or the State Information Commissions or within 90 days of the date, by when first appeal was to be decided. It is the last option under the RTI Act to get the information requested.

There is no any fee and prescribed form for appeals.

You should attach a copy of your original application and a copy of the reply in whatever form (if received) from the PIO with the appeal application.

SAMPLE RTI APPLICATION FORM

To,
The Public information Officer

PIN: _____

Sir,

Subject: Request for Information under Right to Information Act 2005.

I Sri / Smt /Ms.

Son/Daughter/wife of Shri/Smt/Ms.

resident of

_____ wish to seek information as under

I hereby inform that following formalities have been completed by me:

1. That I have deposited the requisite fee of Rs. ____/- by way of Cash / banker cheque / Draft / Postal Order/ others _____) favoring _____ dated _____.

2. I need the photocopy of the documents and I had deposited the cost of the photocopy of Rs. ____/- for ____ (Number of Pages)

or

3. I had deposited sum of Rs. ____/- for the charges of CD. (strike out which ever is not applicable)

4. That I belong to Category of below Poverty Line (BPL): Yes / No (Strike whichever is not applicable). If yes, I am attaching the valid photocopy of the certificate. Yes / No

5. That I am 'Citizen' of India and I am asking the information as 'Citizen'.

6. I assure that I shall not allow/ cause to use/ pass/share/display/ or circulate the information received in any case and under any circumstances, with any person or in any manner which would be detrimental to the Unity and Sovereignty or against the Interest of India.

Signature of the Applicant
Dated:



ASSOCIATION FOR PROTECTION OF CIVIL RIGHTS

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