PROCEDURE FOR APPLICATION UNDER RIGHT TO INFORMATION (RTI)
Step 1:

- Identify the information you need.
- Decide on the questions you want to ask. These questions can be as simple or as complex as you like, but the questions framed (information sought) must be specific, clear and easily understood.
- The information you seek must fall into the definition of information as defined under Sec 2(f) of the RTI act. (http://rti.gov.in/webactrti.htm)
- Do you want copies of documents or samples of materials? Do you want to inspect documents or materials? Or do you just want answers to particular questions? (The more you already know the department and its functioning, the more effective your questions will be)

The Right to Information Act (RTI) 2005 empowers every citizen of India to
- Seek information from the Government and other public authorities
- Inspect Documents & Works
- Ask questions pertaining to the functioning of any department
- Take certified copies of documents
- Take sample of materials (Sec 2(j))
- In addition to the above, a lot of the information shall be made available suo moto (Proactive mandatory disclosure/on their own) by public authorities under Sec 4 of the RTI act

For any questions or clarifications, Contact ‘Rakesh Reddy Dubbudu’
Email: rkrd.rti@gmail.com, Mobile: 9885419012
Step 2:

Identify as closely as you can, which public authority (department of the government, public sector enterprise, NGO etc) has the information that you want.

You can seek information from any public authority (including departments of the central or state government, from panchayati raj institutions, from courts of law, the parliament, state legislatures and from other organizations and institutions – including NGOs – that are established, constituted, owned, controlled or substantially financed directly or indirectly by the state or central Government). Section 2(h) of the RTI act.

You can also ask any government department to access for you information from any private body that the government can access under any other law. (Sec 2(f))
Step 3:

Find the contact details of the SPIO (State Public Information officer) for state government departments and CPIO(Central Public Information officer) for central government departments in question. There are multiple ways of locating the SPIO or the CPIO.

- For state government departments: Directory of PAs on APIC Website
- Respective department or Public Authority’s website
- The central government has designated various post offices across the country as APIOs (Assistant Public Information officers) where a citizen can deposit an RTI request or appeal pertaining to any central government public authority. The list of such designated post offices can be seen [here](http://www.rti.gov.in/rti/cpio.asp).

One or more officers are required to be designated as Public Information Officers (PIOs) who accept the requests for information and also provide information sought. Each public authority shall designate at each sub-divisional or sub-district level, a CPIO or an SPIO, in all administrative units or offices. (Sec 5(1) & Sec 5(2))
Step 4:

Write/type your questions on a sheet of plain paper (Some state rules do prescribe forms. Please refer to the respective RTI rules before seeking information). The rules for Andhra Pradesh can be seen here.

Any person seeking information should file an application on plain paper (or in the suggested format) with the PIO/APIO (Sec 6(1))

Where a request cannot be made in writing, the PIO is obligated to render all reasonable assistance to the person making the request orally to reduce it in writing (Sec 6(1)(b)).

The applicant is not required to either give any reasons for requesting the information or any personal details, except for those required to contact the applicant (Sec 6(2))
**Step 5:**

Submit your application with the application fees (if required) to the PIO. Different states have different application fees, but by law all below poverty line (BPL) families are exempt from paying any fee. Always take a dated and stamped receipt for your RTI application, as well as a dated receipt for your payment where a fee is paid.

You will need a proof, that your RTI application has been received by the PIO. The tested methods to submit a RTI application are:

**Personally, by hand:** Please ensure that you get your copy of the application and proof of payment duly stamped, signed and dated, either by the PIO or by the inward department

**Registered Post AD:** The AD card will act as proof of submission, after it is returned to you by the postal department. In case the AD card does not come back with a proper stamp, signature and date of receipt, follow up with the despatching post office to get the AD card completed. You can track Registered Post articles here: [http://services.ptcmysore.gov.in/RNetTracking/](http://services.ptcmysore.gov.in/RNetTracking/) and keep a print out of the final delivery status with you.

**Speed Post (A postal department service):** Once the application is sent by Speed Post, track it on [http://www.indiapost.gov.in/Speednew/track.aspx](http://www.indiapost.gov.in/Speednew/track.aspx) and keep a print out of the delivery status carefully with you.

Do not use ordinary post, private courier companies, etc. since these will not provide you with a confirmed proof of delivery.

The details of the relevant application fees for AP and modes of payment can be seen [here](http://services.ptcmysore.gov.in/RNetTracking/).

The preferred modes of payment are

1. **For central government departments:** By Indian Postal Order (IPO) of Rs 10/- favoring the Accounts Officer of the department.
2. **For state government departments:** By Indian Postal Order (IPO) of Rs 10/- favoring the Accounts Officer of the department or 10 rupee non judicial court fee stamp.

A reasonable application fee as prescribed will be charged for each application and for supply of information. However no application fee is chargeable from persons below poverty line (BPL) (Sec 7(5)) or if the information is provided after the prescribed period (Sec 7(6)).

**Step 6:**

You should get the information sought within the prescribed period of 30 days.

A certain fee for information has to be paid if the information is provided within the prescribed time period. This fee varies from state to state. The details of fee for Andhra Pradesh can be seen [here](#).

No fee shall be paid if the information is provided after the prescribed time period. (Sec 7(6))

Information sought from the PIO has ordinarily to be provided or refused within 30 days. Information regarding the life and liberty of an individual has to be provided within 48 hours (Sec 7(1)). That sought from an APIO in 35 days (Sec 5(2)). 40 days where third party information is involved (Sec 11(3)) and 45 days where information pertaining to allegations of corruption or human rights violations from intelligence and security organizations listed in the second schedule of the RTI act (Sec 24(4)).

A person making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified (Sec 7(6)).
Step 7:

If you don’t get the information within the prescribed time or if you are dissatisfied with the information provided or with the reasons given to denying you information, file a first appeal within 30 days to the designated appellate authority senior to the PIO in the public authority from which you have sought information (Sec 19(1))

Step 8:

The act is very clear and specific about the types of information that can be exempted. All the exclusions allowed under the law are listed under Sec 8(1), Sec 9, Sec 24(1) & (4). Only information that is covered under these sections can be denied to an applicant. In addition, all these exemptions are subject to the general proviso at the end of section 8(1) which states that information that cannot be denied to the parliament or state legislature cannot be denied to a citizen. The act also talks about freer access to information that is older than 20 years, as further specified in Sec 8(2)&(3). Although the RTI act does provide for certain information to be exempt from public access/disclosure, these are not blanket exemptions. In any appeal proceeding, the onus of proof that a denial of request was justified lies on the CPIO or the SPIO(Sec 19(4)).

Step 9:

If you are dissatisfied with the response on the first appeal or if you do not get a response within 45 days of filing your first appeal, file a second appeal within 90 days, with the State Information Commission of the state to which the Public authority belongs, or to the Central Information Commission for central government public authorities (Sec 19(3)).
Step 10:

You can separately file a complaint (Sec 18(1)(a-f) with the State or Central Information Commission as applicable if the PIO or APIO

- Refuses to accept your application
- Delays beyond the prescribed time period the provision of information
- If the denial of information is malafide(deliberately mischievous) in your opinion
- If the PIO has knowingly given incorrect, incomplete or misleading information in your opinion
- If the PIO knowingly destroyed information which was the subject of the request or obstructed in any manner in furnishing the information
**Step 11:**

If your complaint/appeal is found correct by the concerned Information Commission, the relevant PIO/APIO would be personally fined upto Rs 25000/- and even departmental action can be initiated against the PIO (Sec 20(1)&(2)).

If the PIO fails to furnish the information asked for or fails to communicate the rejection order, within the time specified and without reasonable cause, the PIO shall be liable to pay a penalty of Rs 250 per day for each day of delay subject to a maximum of Rs 25000 (Sec 20(1)).

If the PIO, without reasonable cause, refuses to receive an application and denies information because of malafide, knowingly gave incorrect, misleading or incomplete information, destroyed information, obstructed the provision of information, he/she is liable to pay a penalty of Rs 250 per day till information is furnished subject to a maximum of Rs 25000 (Sec 20(1)).

The Information Commission can also require the public authority that has illegitimately delayed/denied information to compensate the complainant for any loss or other detriment suffered (Sec 19(8)(b)).

In case a PIO,

- Without any reasonable cause and persistently, fails to receive an application for information or does not furnish information within the time specified
- Or denies a request for information because of malafide
- Or knowingly gives incorrect, incomplete, misleading information
- Or destroys information which is the subject of a request
- Or obstructs in any manner the furnishing of information

The Information Commission shall recommend disciplinary action against the concerned PIO under the rules applicable to him/her (Sec 20(2)).