

How to use the Right to Information Act 2005

The Right to Information Act 2005 is a legal tool that will help check corruption and hold the various departments, agencies and officials of the Government accountable. The Act prevents arbitrary action by any government servant. The RTI Act proposes a mission statement of sorts by stating that it is essentially a practical roadmap detailing the ways by which citizens of India can gain access to information that can promote good governance.

Indeed, the Act states that the 'paramountcy' of the democratic ideal must be preserved by reconciling and harmonizing the information economy of India.

What is an RTI application ? The following step-wise analysis may be useful in understanding what can be achieved.

Step 1: Identifying the issue.

Step 2: Identifying the relevant department of the Government. The law mandates a 'Public Information Officer' to transfer the application to the relevant department. In case the applicant refers the application to the wrong department, in no case can the application be returned to the applicant.

Step 3: On a plain sheet of paper addressed to the Public Information Officer of the relevant department write down your questions. This can be in a simple letter format with the subject: Application under Right to Information Act 2005/Section 6 (there is no prescribed application form under the law for filing an RTI application.)

Step 4: Payment of fees -- the application fees for the State of Tamil Nadu and the Central Government is Rs.10. The following modes of

payment are acceptable in Tamil Nadu:

a) Cash -- the applicant goes to the relevant department in person and pays fees in cash. Please insist on a receipt/acknowledgement.

b) Court Fee Stamps -- the applicant affixes court fees stamps (as per amended rules, [GO MS 72, dated March 20, 2007](#)).

c) Government Treasury -- the applicant goes to the Treasury and pays under the RTI account head. The receipt should be attached to the application and sent by Registered Post Acknowledgement Due.

d) Demand Draft -- the applicant sends a Demand Draft addressed to the Public Information Officer, Name of the Department. The law also gives Public Authorities the liberty to club existing account heads to receive RTI fees. It would be advisable to confirm with the PIO of the relevant department about this. The DD should be attached to the application and sent by Registered Post Acknowledgement Due.

e) State Bank of India -- all State Banks are allowed to accept RTI fees. Payment can be made under the RTI account head and the receipt should be attached to the application and sent by Registered Post Acknowledgement Due.

Note: For Central Government Departments payments can be made by cash, through Demand Drafts, Postal Orders or through RTI counters at the nearest Post Office.

Step 5: The PIO should respond within 30 days of the receipt of the application failing which the applicant should make the First Appeal to the Appellate Authority of the same department. The appeal should be addressed to the Appellate Authority (the postal address is usually the same as the PIO).

Step 6: The Appellate Authority gets another 30 days to respond failing which the applicant can make the 2nd appeal to the State Information Commission (for the State Government Departments) or Central Information Commission (for Central Government Departments) as the

case may be.

Useful Addresses:

State Information Commission -- Old No. 273, New No. 378,
Kamadhenu Super Market (First Floor), Teynampet, Anna Salai, Chennai
600018.

Central Information Commission -- Fifth Floor, Block No. IV, Old JNU
Campus, New Delhi 110 067.

Public Information Officers and Appellate Officers -- Government of
Tamil Nadu web link.

Fifth Pillar : 1, Anna Main Road, Kodambakkam, Chennai 600024.

Telephone: + 91 44 65273056 / 98400 34900 / 98406 18948

Fax : +91 44 24759477

Website : <http://www.5thpillar.org>

Email : ENDcorruption@5thpillar.org