

# RTI for Research Using the Right to Information Act, 2005 for Research in India

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*Dedicated to all the researchers who work hard and lonely in labs, cubicles  
and the field to contribute to the society and the Nation.*

*Democracy, therefore, expects openness and openness is a concomitant of a free society. Sunlight is the best disinfectant.*

HON'BLE SUPREME COURT OF INDIA

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## **PREFACE**

*Information is the currency of Democracy*

THOMAS JEFFERSON

As a researcher in India, I was looking for some answers for my research. I started to look for the answers and reached a point where the answers were in big dusty files and computer systems lodged in some corner of a building where entry was prohibited for the commoners. In an attempt to reach the authority I tried many options. I tried going to the office, tried using acquaintance to reach resource persons and even tried to approach these people through social media and email. Kept waiting for answers. Never got replies. In some cases, there were replies, but no information. This went on for a while. Then Eureka! I filed a request using The Right to Information Act, 2005 and my inbox had answers. Signed and certified by the same people who didn't reply earlier. Here am I presenting this technique for researchers in India. So? Are you in a Research Program in India? Or studying about India? Well, you will be surprised to know that there exists a method for researchers to obtain information from Government Departments in India using a law called the Right to Information Act, 2005. This law is mostly used in India for public advocacy and transparency, but this book brings forth a promising use of the law by researchers researching on areas from across the disciplines. This book frees the mind of the researcher to look at the RTI Act as a tool to obtain information which otherwise would be very difficult to obtain from the Government Departments. A step by step guide filled with important practical suggestions for you to successfully draft your first application in a way that the Public Authority gives you the

information you require for your research. Written by a researcher in India who had used the RTI act a decade ago. Used then for social activism, knowing very little that he would use it later for important research in Disease Spread in the Built Environment. If you are a researcher in India, of any stream or discipline, you must read this book, designed like a manual, as an important part of your research methodology and incorporate RTI in your Research Design. Who know what information that you get through the RTI can lead to the next big thing in Research!

RTI AND RESEARCH

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## What is RTI?

RTI stands for The Right to Information Act, 2005 which was an act of Parliament of India passed on 15 June 2005. It came into effect on October 15th of the same year. This act replaces the Freedom of Information Act of 2002. In India, Delhi was the first state to pass an Act on Information sharing with the citizens in the year 2001, much before the RTI Act and even before the Freedom of Information Act of 2002.

The Right to Information Act is not a unique concept as such. The Indian Constitution has by default considered The right to know as a facet of the Fundamental Right to Free Speech as guaranteed in Article 19 (1) (a) of the Constitution on India. It follows the basic logic that a person will be able to express only if that person has the information. This right is derived from the United Nations General Assembly resolution. The Universal Declaration of Human Rights also guarantees the right to information as an essential Human Right. It was only in 2005, that this Right to Information was codified and took the form of legislation. The purpose of this codification is:

*to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority.*

This was 'an attitude of secrecy within the Civil Services as a result of the old framework of rules. 'This legacy was further strengthened by regressive legislations like the Official Secrets Act, 1923. The members of the Indian legislature took a liberal and a progressive step by not only passing this Act but also making it supersede the Official Secrets Act. This act has recognised the vision of the founding fathers of the Indian Constitution by acknowledging the fact that India as a democracy

*requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed.*

It is a pure realisation of the term 'We, the people' who form the democracy. For a researcher, this is a jackpot as now he can claim a right to certain information and demand it from the public authorities to further his research.

## **WHAT IS RESEARCH?**

Research implies to work done by an academician or scholar by using certain data and come up with information which adds to the stock of pre-existing knowledge in a particular field. It can be an economist who is working to create future spending trends in a country based on the data available for the past years. Otherwise it can be a biological scientist looking for the cases of a particular disease in a population in order to find the disease resistance of particular groups of people belonging to a geographical area. Other examples can be social scientists working on demographic data and its analysis to create a policy for poverty alleviation in a country.

Research is very essential for any discipline to keep itself live and ever evolving. It enables the breaking away from the status quo of things. Research frees humans from the bounds of past knowledge. Scientists, for example have developed cure for previously incurable diseases by an active pursuit of research. Research is initiated by first creating a research design which defines the process of performing research. To fulfil this process, there are various tools required. A questionnaire for a survey analysis is a tool. An equipment for analytical research is another tool. Data analysis software can be also an example. This book provides to the researcher an access to another indispensable tool which is yet unexplored and has immense practical potential.

## SOURCES OF PUBLIC DATA

So, you are a researcher? So, you must be knowing about Primary Data and Secondary Data. Any data that you have created, collected or calculated yourself may be primary and the data from another source is secondary. This other secondary source must definitely be reliable. With reliability I mean that the data must be generated properly, verified and published under authority by an authentic source. You, your research committee and your supervisor are the best judge of which data is reliable and which is not. But as a general protocol, data published by public, government, neutral and credible organisations is reliable. The credibility for providing information is earned by these organisations by a process of repeated use and review by peers and researchers. One would believe what the Employer Company is saying with a greater belief than what a local employee Union says. Well, in this case it would depend on the issue. If it is about the employee benefits and equity of pay across gender, you would doubt the employer as you may think he is biased. But how are you sure that the Employee Union is also not exaggerating? Well, this confusion will always remain with data and its authentic. So what does a researcher do? Well, he can either go out there and interview both the parties himself and do a scientific analysis, separating facts from opinion. The other option he has is to rely on someone who has done the same drill of listening to all the parties and collecting unbiased data. In the above mentioned case example, a NGO, working on Employee rights or a Government commissions report might serve as an unbiased source. In case there are cases of a doubt, you can seek an international organisation, with no conflict of interest to provide you that data. In the case of getting data from the government agency, there are a few sources where the government will by default make it public. In India, the government has a central database which aggregates data from 173 departments from across the government ([data.gov.in](http://data.gov.in)). There are data portals from the Statistics Ministry

(MOSPI Portal). The National Archives provides Data under the Public Records Act, 1993 and they can be approached with designated forms and processes. The Indian Meteorological Department provides weather data to researchers with a certain request mechanisms and a token payment. You can access the Parliament discussions and the data contained within them from the website of the two houses of the Parliament (Lok Sabha and Rajya Sabha). All this may seem perfect and rosy, but there are some problems in this. There is some data which the government department may not make public by an arbitrary choice. It is when such arbitrariness occurs, when we need the recourse of the Right to Information Act, 2005. Subsequent chapters in this book will make it clear when, how and what to ask?

The next chapter will explain why it is important for every public authority to be forthcoming with providing data to the public.

## **RTI DUE TO ABSENCE OF SUO MOTO DISCLOSURE**

Suo Moto is a Latin term meaning "on its own motion". It is used when a government acts out of its own initiative.

The Right to Information Act, 2005 states that:

*It shall be a constant endeavour of every public authority to take steps ..... to provide as much information suo moto to the public at regular intervals through various means of communication, including Internet, so that public have minimum resort to the use of this Act to obtain information.*

Not only that, the public authority is expected to send an annual report to a body called the Central Information Commission, (which we shall talk about in a later chapter), with the all the 'facts that indicate an effort by the public authorities to administer and implement the spirit and intention of this Act.' This puts a lot of responsibility on the public authorities to provide information to the public. The Act has even gone to describe the information that has to be provided. For a researchers interest it includes, but is not limited to the following:

1. The rules, regulations, instructions, manuals and records held by the authority.
2. A statement of the categories of documents that are held by it or under its control.
3. The mechanism for public consultation for framing its policies.
4. The budgets of the various agencies by authority with an inclusion of the receipts and expenditure. The above is a suggestive, non-exhaustive list in the Act of the minimum disclosure that it has to provide. But this in no way is all that is available to public. The public in fact has access to every document of the public authority, as if it owns the document. There are some exceptions to

this and there are some definitions which we shall discuss in a later chapter. For now, we need to make it a habit to look at the RTI tab of any public authority to see the documents uploaded by it suo moto.

Now let's understand why you would need to request for information when the public authority is anyways supposed to disseminate all the information on its own. There are several reasons which are given as follows:

1. Public authorities may not be very tech savvy and the website may not exist. Even if it does, it may not have all the documents available. There are some authorities, who have a good looking website with a section on RTI, but the section is hollow, it just has a basic framework with links that don't open. There are no suo moto disclosures or proactive dissemination of information.

2. They may have been contacted by you with your request for data. You would have had approached them with a request letter, your bonafide researcher certificate, and would have made many rounds and sent multiple emails to get your data. But of no avail. You either didn't get your data, or were given a reply but denied the data, or were given incomplete data.

3. The public authority has a reputation of not entertaining researchers and academics. Well I may be biased, and so would you be, but the public authority (its officers) may have their set of insecurities about data being misused and won't take the responsibility of handing out data on your non RTI request. In this case, they may need the legal backing of the Right to Information Act to provide you the information without any fear of a disciplinary action of 'leaking' organisational data to outsiders. However strange it may seem, our bureaucratic systems sometimes may not let a willing officer help you by providing you the information on a simple request. In this case, your request for information in the form of an RTI application will give the officer a reason, supported by the law to provide you the information. By filing an RTI, you would be actually doing a favour to the official. A later chapter on doing homework before applying will provide a researcher all the due diligence he must do before he files an

application for information request.



## WHAT IS 'INFORMATION'?

The most important step in using the Right to Information as a tool for research is understanding the definition of information as per the Right to Information Act, 2005.

What we must understand that we have to frame specific questions pertaining to existing information that we know exists in the public authorities record. This is the most important part where we have to care that the document will be available with the public authority. In another chapter we shall understand the right public authority we must approach for the right set of information. For now must understand have to fully understand what is the meaning of information. We must understand that we have the right to any document that is available with the public authority. We also must understand as per the RTI Act, any person desiring to obtain information need not provide a reason for obtaining that information. This is of extreme importance for researchers because they can obtain information without revealing their research agenda which they usually like to keep secret. Remember the public authority is answerable to every individual citizen of the country for any information that is available with it. At the same time the researcher must understand that the public authority is also a group of humans as discussed in another chapter. You must not forget that another fellow being is going to read your application for information. He is going to look for the information you have demanded which he is going to reply. As we have made clear our research intention in another chapter, it is our duty for the sake of our research to be humble in asking for information. We must be considerate to ask specific questions and be professionally polite. Use of arrogance or a language of threat will be of no use to the researcher in always getting a favourable response to his questions in the application for information. That also doesn't mean that you are not demanding. Your questions must be specific and to the point. It may appear to be too audacious to ask. You can still ask. But good conduct is a priceless virtue. If

you ask a demanding question with humility and politeness you will be able go a long way.

Coming to the meaning of information, as per the Right to Information Act, 2005 definition, 'Information' means any material in any form. This includes:

1. Records
2. Documents
3. Memos
4. E-Mails
5. Opinions
6. Advices
7. Press Releases
8. Circulars
9. Orders
10. Log books
11. Contracts
12. Reports
13. Papers
14. Samples
15. Models
16. Data material held in any electronic form.
17. Information relating to any private body which can be accessed by a public authority under any law for the time being in force.

A record is further defined as to include:

1. any document, manuscript and file
2. any microfilm, microfiche and facsimile copy of a document
3. any reproduction of image or images embodied in such microfilm (whether enlarged or not, and
4. any other material produced by a computer or any other device.

Right to information for the purpose of the Act means right to:

1. Inspection of works, documents or records.
2. Taking notes extracts or certified copies of documents or records.
3. Taking certified samples of materials.
4. Obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device.

There are certain exceptions to this information which can be provided by the public authority. These exceptions are listed as follows:

*(a) information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence;*

This makes sense as no researcher would be doing something which would affect the National interest as mentioned above. In reality most researchers in India, especially the ones in the formal structure of research at institutes, would actually be doing research which contributes to the Nation and the society in a positive manner.

*(b) information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;*

This is again very relevant as matters forbidden by the court, may actually cause problems to law and order and should not be subject to application for information. Even if you file for request for such information in ignorance, the public authority will automatically reject it, which you should happily accept.

*(c) information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;*

The parliament is a body of people's representatives and they have decorum to run business. These matters would be very rarely of interest to the researchers and should be avoided.

*(d) information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;*

In these matters, the researchers have to choose their words carefully and ask for such information where there is a role of the government in regulation of the points mentioned above. That means the actual information may not be provided, but the protocol of its approval and inspection may be fall under the criteria of a public document.

*(e) information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;*

This section has been subject of various interpretations and re interpretations by various courts in India. It will be the best to see this section very situationally and to the context, but generally it is up to the researcher to be able to justify that his request doesn't fall under this section.

*(f) information received in confidence from foreign Government;*

These matters of National Interest should not in any case be requested by the researcher through the RTI. He may approach the organisation directly if that is possible or needed.

*(g) information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;*

*(h) information which would impede the process of investigation or apprehension or prosecution of offenders;*

The researcher will most likely not require such information.

*(i) cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers:*

This information can usually be provided by the Public authorities in discussions in the parliament. You can easily have access to the discussions/questions/committee reports of the parliament from the website of the Lok Sabha and the Rajya Sabha.

*(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information.*

The researchers should by self-initiative refrain from such types of information which may breach the privacy of an individual or may be third party in nature.

Please remember that out of a set of information, there can be an easy line drawn between information which is private to an individual and information

which is of public interest. By the provision of Severability in Section 10 of the Right to Information Act, 2005, part of the information after severance of the record for exempt information, can be supplied. This can be useful to the researchers as they can clearly draw a line between private and public in the same set of data and extract the public information from it. They would have to be careful in wording the request to ask for it appropriately.

## TAKING THE NEGATIVITY OUT OF THE RTI PROCESS.

'I will file an RTI against him!' said someone. I am sure you have heard these two words RTI and against together many times. The word against means 'Opposed to' per the Word Web dictionary. When a human is opposed to another human, there is enmity, hatred and a definite vindictive intention. This has gone so far that today we have web pages on the internet[i] which track the number of people that have been killed in the process of 'seeking information.' RTI Killings have become a major cause of concern in the near past and the people who file RTIs have started to be known as RTI 'activists' You have to recognise that you are using the RTI Act for the purpose of your research and not to expose a scam. You have to not only believe in this, but act accordingly. For a serious researcher this book can be of much use. Keeping aside all the negativity and misconceptions about the right to Information regime the serious researcher will find this book to be an important tool for his research. The coming chapters will train the researcher in making sure that he asks the right question to the right authority for the right cause to enable his research. With a right intention as discussed in another chapter the researcher should not digress from his quest centred around his Research question and its requirements.

## THE HUMAN BEHIND THE COUNTER.

Whenever we talk about a public authority, we don't mean a building made up of brick and mortar with a signage on it. We mean a group of people who are sitting in those dark, dingy rooms surrounded by files and overloaded with work. You may argue that the infrastructure is improved and the rooms are becoming nice and comfortable. They may also be not that overloaded and be enjoying the life of nine to five in a government office. You can keep thinking about the system and how good or bad it is. You may remember a person from this office that was not the most polite with you. You may think of the mails which you sent to this office and never got a reply or got a negative reply. In the middle of all these thoughts the researcher inside you has to remember one thing: This office is the only place which has to provide you the information. Period.

To reinforce this idea, you must remember that the person behind the counter in the office where you want your information is at last a human like you. He maybe a little less motivated, or maybe out of context in life or maybe too comfortable or too stressed about his job. Remember, he is your only source of information. And you will get your information from him. All you have to do is to train yourself in selective thinking. Feeding positive thoughts, giving water those seeds of thoughts which show you a picture where you are being given the information you require. One wrong thought and you will lose even before you have begun. You must always be convinced that your research is for the community and you and the man behind the counter will benefit from your research directly or indirectly.

This attitude will take you a long way in not only getting the information you require, but also in your research or life in general. To sum up all that I have said above: Go with a belief, without a preconceived notion that you will get the information from a person who is just another human like you are.



Let's now talk about the name which is given to this person by the Right to Information Act, 2005. His or her name is Public Information Officer. He mostly has a secure, permanent job in the public authority and is one among the officials. He is usually handling other work and being a Public Information Officer is an additional responsibility. He is your best friend and he can help you beyond your imagination.

If he is convinced by the possibility of something good behind your questions (for information) he will go out of the way to provide you the information. One or two, you may come across who don't respond well, you always have a remedy for that. The remedy is called the First Appellate Authority of the Public Authority. He is a person, just like the Public Information officer, out of the ranks of the office, but usually a senior of the Public Information Officer. If you are unsatisfied by the reply by the First Information Officer, you can file a First Appeal to the First Appellate Authority. He may just say the same thing, but two is better than one and there is a chance he may reconsider the reply which his junior has provided. The process of Application and appeal filing and the flow is provided in a subsequent chapter.

Talking of the Public Information Officer, he may be called a Central Public Information Officer or a State Public Information Officer or simply a Public Information Officer. Don't get confused between the state and central. It is mere jargon and is based on whether the public authority comes under the state government or the central government. He still has to provide the information. That too, within 30 days of receiving the application. A delay can lead to a penalty which the Public Information Officer would be publically liable for. The government won't pay for the negligence of the officer. He is answerable to law and accountable to his organization and the Public Information Commission (of the state or the Centre depending on whether the Public authority is under the state or the Centre) and the Information commission can instruct him or impose a penalty on him.

But once you have understood he has to answer within thirty days, has a senior above him to review him, can be fined out of his pocket, at least try to be considerate on your first interaction with him, i.e. when you are filing your first application for the information sought by you. In subsequent chapters, we will talk about the importance of a right intention and the homework that should be done before filing the application. We shall also discuss the great advantageous virtue in using polite and professional language for your information request.

## THE CONCEPT OF PUBLIC AUTHORITY UNDER THE RTI ACT

Every Public Authority is under the ambit of the Right to Information Act (with a few exceptions which we shall discuss). The Section 2 (h) has a clear definition of who are the public authorities you can seek information from. These are any authority or body or institution of self-governance established or constituted:

(1) By or under the Constitution (This means all the three wings of the executive, legislature and the judiciary. This includes:

(a) The Executive: At the Central Level: The President, The Vice President, The Council of Ministers and all the Ministries, The Prime Minister and his office, The Attorney-General of India and their Secretariats. At this state this includes the Governor, the Council of Ministers, the Advocate General of the state, the Chief Minister and their respective secretariats. The Administrators/Lt. Governor and administration of the Union Territories (including Delhi). The Head of the Council of Ministers, the Council of Ministers, of the Union territories and their secretariats and subordinate levels of administration by whichever name. All ministries, departments, cells, authorities, bureaus, Sections, Sub-Sections, Institutes, Corporations and any other entity by any other name which reports to the executive of the Central, the Union Territories and the State are public authorities from where information can be sought.

(b) The Legislative: The Parliament: At the Central level: Lok Sabha and Rajya Sabha, its Speakers/Chairman or Vice Chairman, its Members and their Secretariat. At the state level, the Upper and lower house of the state legislature and the Union Territories by whichever name they be called and their secretariats, the Chairman/Speaker, deputy chairman of these legislative assemblies/councils and their secretariats.

(c) The Judiciary: The Supreme Court, its registry, the Chief Justice of India, Judges of the Supreme Court and their Secretariats. The High Courts, their

judges, the Chief Justice of the High Court. The judges of the District courts, the Magistrates of various levels in the district and their secretariats. The Courts for Union Territories and their administration

(d) The Comptroller and Auditor-General of India and the Secretariat.

(e) The Panchayats: Gram Sabha, Gram Panchayat, Zila Parishads. The members and the staff are all public authorities.

(f) The Municipalities: The municipal councils, municipal corporations, boards for municipal administration or any other entity with any other name but performing its function as a municipality is a public authority. This includes the Councillors/members, their secretariat, the Mayor and the secretariat and all the other staff of the Municipalities. All departments/sub sections/institutes/schools/ dispensaries/ hospitals/bodies/boards/cells/bureaus/authorities which report to the municipalities are public authorities. They can be known by any name.

(g) The Administration of the Scheduled and the Tribal Areas. Autonomous bodies created with their heads, staff and members by any name are public authorities.

(h) The Public Service Commissions of the Centre (including for Union Territories) and the state are public authorities

(i) The Tribunals: Administrative and Special Tribunals, their chairpersons and other members. The staff and secretariat are public authorities under this Act.

(j) The Election Commission, its Commissioner, members, the secretariat and the staff. The National Human Rights Commission, its chairpersons, members, secretariat and staff are public authorities.

(2) By any other law made by Parliament: The Parliament is a group of representatives of the people who get together to formulate policies and laws which are of concern to the people they represent. Our constitution is the largest in the world which has defined every arm of the government in detail, from the

President to the Panchayat. But despite this, there are bodies/authorities/boards/institutes/commissions which take birth after the law announces their creation. The Central Information Commission was a creation of the law in the Parliament regarding Right to Information. There are other agencies like Life Insurance Corporation, Airport Authority of India, Universities and Institutes created by an act of Parliament, The National Human Rights Commission, etc. If you see a mention anywhere on the website or brochure which reads: 'Created by an act of parliament' then the body becomes a public authority. Please note that a body created by an act of parliament may not always be directly or indirectly financed by the government, yet it is a public authority. The Shiromani Gurudwara Parbandhak Committee, Delhi Sikh Gurudwara Management Committee, Tirumala Tirupati Devasthanams and other boards made by an act of parliament to run religious institutions are an example. These are totally self-financed and self-managed, even democratically in case of the Gurudwara Committees which hold elections where common voters vote. Yet by virtue of their creation being by an act of parliament, they are public authorities.

(3) By any other law made by the State Legislature: This is same as the above mentioned point but at a state level. The constitution provides for a State list in the Twelfth Schedule in which the State governments create laws for certain categories of subjects. An example is Health, Culture, Town Planning, etc. State Universities are for example created by an act of State Legislature within the state. These become public authorities.

(4) By notification issued or order made by the appropriate Government, and which includes any:

(a) Body owned, controlled or substantially financed directly or indirectly by funds provided by the appropriate Government: This means a body which is made autonomous in certain regards, but still depends on the government for finances and is controlled or owned by the government to a great extent. An

example here would be the Gas Authority or the Steel Authority of India Limited which is an independent Public Sector Undertaking with a separate management board. Yet the ownership by shares of the government is the majority stake, hence it is a public authority under this act.

(b) Non-Government organization substantially financed directly or indirectly by funds provided by the appropriate Government: This is a very unique case where a body is not run or managed by the government but has a substantial financing by the government. The Tuberculosis Association of India is an NGO, but has funds from the government; hence it is a public authority. The Tata Institute of Social Sciences has non-governmental governance, yet it is under regulation and financial support of the UGC to certain extent making it a public authority.

There are certain public authorities which directly follow the definition of the public authority mentioned above but are not under the purview of the Right to Information Act, 2005. These are:

1. Intelligence Bureau.
2. Research and Analysis Wing (Cabinet Secretariat).
3. Directorate of Revenue Intelligence.
4. Central Economic Intelligence Bureau.
5. Directorate of Enforcement.
6. Narcotics Control Bureau.
7. Aviation Research Centre.
8. Special Frontier Force.
9. Border Security Force.
10. Central Reserve Police Force.
11. Indo-Tibetan Border Police.
12. Central Industrial Security Force.
13. National Security Guards.
14. Assam Rifles.

15. Special Service Bureau
16. Special Branch (CID), Andaman and Nicobar.
17. The Crime Branch-C.I.D.-CB, Dadra and Nagar Haveli.
18. Special Branch, Lakshadweep Police.

A fairly complete list of public authorities of the Central Government of India is available at: <https://rtionline.gov.in/request/allpa.php>

## HOMEWORK BEFORE THE APPLICATION

For a researcher the words filing, application, Public Information Officer and even RTI make sense only if it helps him get the data/information he requires for his research. We have to drill ourselves with one important self-instruction: Use RTI as the last option. In a previous Chapter on the sources of Public Data, we have spoken about how data is available in the public domain. Let's keep that in mind remember to do all the preparation before we are ready to file an application for information.

If you are looking for a certain data/information, follow this drill:

1. Look for the website of the public authority and see through the whole website for the report/numbers/fact/record that you are looking for.
2. If it is a public authority, the website is bound to have a section on RTI. Click-open this section and look for any disclosure that is already available on the information you seek. It might be just lying there in the form of a complete report or section of a report uploaded on the web site.
3. Go to the 'sitemap' section of the website and see if the section dealing with your sought information is hidden in the hierarchy levels of the website. You see, sometimes the website are not properly designed and may be difficult to navigate through and you may never directly find your needed report or web resource. It may be a good idea to once check in the sitemap.
4. Google search just in case you still can't find it in the website: Some websites have a built in search option. It may be a good idea to once search with the keywords related to your sought information. Like if you are looking for the report by a committee on your topic of research, type <The committee name> followed by <two words describing your topic>. Repeat this with a search on Google (or any other search engine) with an additional keyword of the name of the public authority in the first. This will be like: <Name of public authority> <The committee name> followed by <two words describing your topic>. This is



just a sample and you are better placed in putting the right keyword about your research.

5. Search with the regulator: Most likely, every public authority in India has a public authority above it whose job is to be at a supervisory position to it. The public authority from which you seek information would be definitely having some kind of communication with the regulatory authority. This communication can be in the form of a regulatory filing, a return, a report or can be some data from the lower authority uploaded on the web resource of the regulatory authority. You as a researcher have to check the regulatory authority website in the steps mentioned above.

6. Check social media: There is a rising trend of governmental public authorities using the Social media especially twitter and Facebook to update users on the work they are doing. Some public authorities have people dedicated for this work. In some cases, the head or an important official of the public authority may have a person page where he may just post some information knowingly or unknowingly. In these twitter or Facebook posts you may sometimes get the exact information you are looking for, but mostly that may not be the case. You may sometimes just get clues to the larger document. The post, which is usually brief and 'boasty', will hint at some report, finding, notification, or policy document. That is clue enough for you as a researcher to start looking for that bigger document which has what you seek.

7. Researchers help researcher: In some public authorities, there are internal officials who also have to perform their job of doing research. Or they maybe people who have a research degree, and doing administrative work, but having an unfulfilled knack for research. These are the people who can help you. First find these people from the websites/report credits/committee membership pages and then look for their pages on research aggregator pages like research gate, academia, and Google scholar and off course the social media channels. Not only will this provide you the direct information you are looking at, but will

also provide you key contacts that you can directly write to for help. If you are a genuine researcher, you should never hesitate to write to this person and seek information. Chances are he will reply and maybe encourage you.

8. Once you have performed the above steps, go for the humble Google search one last time to look for some third party source or clue. It can be a newspaper website with an interview of the boss of the public authority. It can be another research on the same topic by another or it can be some other document that you least expect. The point is to turn all the stones before you are finally ready to seek information via the RTI route from the public authority.

## CREATING INFORMATION VS. PROVIDING INFORMATION

A government circular once stated that no one can possibly use the RTI for certain questions which ask for some hypothetical answer. It means that the Public authorities can only provide the information they already have. They can't create information. Creation of information happens only when the question asked isn't specific or doesn't point to a document/record/file or anything which falls in the definition of information as specified in an earlier chapter. The public information officer is not expected to analyse information and give out an analysed response. He is supposed to just copy and paste a pre-existing document or information as it is. There is no scope of any expectation by the information seeker that the officer is going to do the research on his behalf. Well, my dear researchers, that's not a fair expectation and you would not agree less that even if you get the raw information, its good enough for you to analyse and interpret it to find out your answers. Answers which fit your research question and which fall in the scope of your quest.

This news that the public information officer can just provide exact information was criticised by a few people, but this is a great boon. This is good news for researchers as they won't get information which has been processed by an officer who might not be as serious like yourself or may not have the skill like you to analyse it as per your research design. You won't agree more, that a single set of data can actually be used in multiple ways by multiple sets of people. A country's population data mean something to a human evolution expert and would mean something else to a vaccination specialist. The former would be thrilled to see the growth whereas the latter would worry about the number of vaccine shots he is likely to fall short of.

You as a researcher should be happy about government's decision of providing you the raw unprocessed information so that you can use your skill on it to arrive at a conclusion.

You have to always remember that there are a few loopholes, tactics the Public Information officer can use to not provide you information. This information will let be smart in framing the right application for a positive answer.

The loopholes/tactics available with the officer are:

1. Part 9 of Section 7: It reads as the following:

An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question. This is a very common trump card thrown at you by the Public Information officer. Before you start talking about your right and his duty and how he is being unfair, I want you to pause and rethink on how the question was framed and how can it be improved for the next time. We will see more of drafting the right application in a subsequent chapter. 2. Misuse of Section 8 which exempts from disclosure of certain information like,

A. Information which may cause threat to national interest

B. Information that is held in commercial confidence, trade secrets or intellectual property which harms the competitive position of a third party.

C. Information available to a person in a Fiduciary relationship

D. Information which would endanger the life and physical safety of any person. These points have been made with a great intention but are often misused by officers to deny information in the first reply to you.

3. Third party information: Information of a third party cannot be supplied, but this can be misused by the Public information officer to deny the information.

4. The Public information officer can claim that the information you seek does not fall within the definition of information or record as per the Right to Information Act. This can usually be an excuse to deny information.

5. Common tactics:

A. A common tactic used by the Public information officer is by asking a person for their identity card to be supplied along with the application. This is a needless act as no identity is required for supply of information.

B. Sometimes the officers transfer the application to a lower department within their own department and send a transfer order to the information seeker to delay the provision of information as the response time now restarts from the transfer date.

C. Mis-quoting a case judgement of a court or a quasi-judicial body to deny you information.

You, as a researcher have a bigger problems to solve in this world. In a subsequent chapter, we shall see how to file an application which cannot be subject to the above loopholes or denial tactics.

## APPLYING FOR INFORMATION

The process of filling an information request under the Right to Information Act is very simple. At the basic, it is just an application written without a prescribed format having the important information regarding the following: 1.

Who has to provide you the information

2. What is the information sought by you?
3. Your details so that you can be sent the information
4. This should accompany an application fee of Rupees Ten per application (Rs. 10/-) which has to be paid to the Public Authority you are seeking information from. Let's discuss the above mentioned four points in detail, so that you can successfully file the application for information:

{1}

Public Information Commissioner of the Public Authority has to be addressed to request for the information. His official designation may be called Central Public Information Officer if his public authority is under the purview of the Central Government. In case of the public authority being under the State Government's purview, his designation will be called as State Public Information Officer.

Most government departments have subdivided the RTI work to the various officials within the department and the particular division of the department has a particular officer who provides the information against your application. Most public authorities provide the Name and the Designation of such Public Information officers. If you are sure about the section in which your question may fall under, you can directly address the RTI Application to the officer. In case you don't have information about the division in the department under which your desired information may fall, you can address your application to the Chief Public Information Officer of the Public Authority. He may be known

by several names such as Nodal RTI Officer, Chief Public Information Officer or simply the Public Information officer. He will immediately transfer your application to the officer who is looking after the area your information sought pertains to. Point to note is that in this process, the time taken for the total process may increase as your application is transferred from one officer to another, which will take additional time.

The information about the Public information officer is available under the RTI section on the website of the Public Authority. In case the website has no such information, you can simply write to The Public Information Officer and mail the application to the general address of the public authority. In cases where the website has no mention of the RTI officers, you can add a note to the application as follows:

The agency this application has been addressed to is a Public Authority under the Right to Information Act, 2005, Section 2 (h) You have not designated a Public Information officer in contravention of Section 5 of the said act. Your website does not mention the name of such designated officer in contravention of Section 4 of the said Act. You are requested to follow due procedure and provide the information sought in this application.

Please cross check the correct address of the public authority as some departments may have multiple locations. This will save time as the letter may have to travel less within the same department before it arrives to the right officer. The website of the public authority can be a good source of this information. Another reliable source is the website of the Central Information Commission which has the list of the Public Authorities under the purview of the Central Government. Same holds good for the state where the State Information Commission website will have the list of the public authorities which are under the purview of the State.

You have found out the right Public Authority to address your Information Request. Now comes the most important part, i.e., writing the body of content for your application.

Note the following points:

1. This application can be written on a plain paper.
2. There is a suggested word limit of 500 words for your application. It is a good idea to frame your application within this word limit. In reality you would hardly exceed this as you will be framing brief and specific questions.
3. It is suggested that you keep one theme per request. That means you can choose to ask one type of question per application. You as a researcher would know the type of questions that can be answered by one single division of the department, so ask those questions together in the application so that the public information has to do the minimum work, and this allows for the least travel of your application within the department.
4. Keep your questions simple, brief, in easy English and to the point. Demand for a particular piece of information that would exist in the department. I.e., if you know your data is in a particular record, ask directly for a certified copy of the record. Don't expect the public information officer to read that record for you, analyse it and give you a conclusion based on his reading. This will never happen and will actually lead to denial of information. Always ask for a copy of the record. If you don't know which record will contain your sought information, then go on and ask in the following way:
  - A. Please provide a certified of the document/record/file/circular/memorandum/notice/minutes of the meeting which contains <here is where you would put your question/name or-and description of the desired data.
  - B. Don't go with your question directly; ask for the document which contains it.



5. Quote the following parts of the Right to Information in all standard RTI applications in order to remove any discrepancy or to prevent the Public Information officer from looking for excuses of information denial.

A. Remind about the RTI act and the information is sought under it. It can be stated like this: ‘Please provide Information as per Section 3 of the Right to Information Act, 2005

B. Remind that you are a citizen and should be provided the information without assigning any reason. It can be stated like this: ‘I am an Indian Citizen and request information as per Section 3 of the Right to Information Act, 2005. Further, you are requested to provide the information without asking me for the reason for the request as per Section 6 (2) of the Right to Information Act, 2005’

C. Request for the earliest transfer of the information to the next most possible public authority in case the first request. This transfer, if applicable has to be done within four days of the application receipt by the public information officer of the first authority. He also has to inform you of the same in writing. This can be written as: ‘ As per Section 6 (3) you are requested to transfer this request to another appropriate public authority within five days of the receipt of my application if you think that my requested information is held by another public authority or the subject matter of the information is more closely connected to another public authority. You are requested to intimate me immediately of such transfer in writing at the earliest.’

D. Remind of the time limit in which the reply has to be provided by the Public Information Officer. This time is thirty days as per the Right to Information Act, 2005. This may be stated as: ‘You are requested to expeditiously provide the requested information, which in any case should be within thirty days of the receipt of this application’

6. Please don't ask any hypothetical question which requires the Public Information to give an answer out of his discretion. You can only ask to be

supplied by a pre-existing document, about which you may or may not know. You can also not ask the public information officer to assign a reason, cause or 'Why' a particular authority has written or not written something in the document. That would amount to you seeking a remedy to a particular issue which is beyond the purview of the RTI Act, 2005. To give an example, if there is a policy document issued by a public authority on the policy on coal power plants, and the authority has not mentioned about the disposal of the waste water from the power plants, you cannot ask the authority for a reason as to why they have not made that exclusion. All you can ask for is the policy documents, the circulars, memos, notifications, minutes of meetings, committee reports, committee member profiles, expense in proceedings, file movement data, file noting, comments of various departments and other such information that the department may already have. The reason of non-inclusion is not something you can ask. Refer to the chapter on 'What is information to find some keywords/names of documents that you can ask for.

7. Please include the following statement: 'To expedite information dissemination and to decrease the load on the public authority, I request you to send me the information requested on my email address which is as follows: <write your email address>'. This will not only save you money on procuring the documents by hard copy, but will also make it easier for the public authority. Though you may note that the public information officer may use his discretion in whether to send via email or ask for payment of the certified photocopies/prints and send you a request to make the requisite payment for the copies. This will increase the time for your reply as now the officer will first send you intimation for payment, then you will pay and intimate and finally he will send the information. This will cost a few more days.

he payment structure for certified copies is as follows

- a. Rupees two for each page in A-3 or smaller size paper.
- b. Actual cost or price of a photocopy in large size paper.

- c. Actual cost or price for samples or models d. Rupees fifty per diskette or floppy
- e. Price fixed for a publication or rupees two per page of photocopy for extracts from the publication.
- f. No fee for inspection of records for the first hour of inspection and a fee of rupees 5 for each subsequent hour or fraction thereof
- g. So much of postal charge involved in supply of information that exceeds fifty rupees.

8. Please ask questions in an organised manner, i.e. in a serial number order, one question per serial number, or one request per serial number. It also helps if you can tabulate it so that the public information officer can easily take independent decisions on each request/question and doesn't take a uniform request for all the questions. He may deem certain questions as appropriate and certain questions under the exempt for information category. Your segregating questions and assigning a serial number to these will just make it easier for the officer, and eventually you. This will prevent one applicable question to be shielded from the possible rejection of another question, which may actually be inappropriate.

9. Use the words 'Please provide,' 'You are requested to provide certified copies,' and use of other cordial language phrases. Remember your research is your priority and a few words of respectful language won't hurt. They may actually motivate the officer to consider a speedy delivery of information. I have had public information officers thank me for requesting information and for my interest in particular information. Being polite always helps. These officers are human like you.

10. The application can be made in English or Hindi or in the official language of the area in which the application is made. Please use this with due care and to your advantage. It is always a delight for any person to read in the mother

tongue and if you can make a request to a district collector of a remote district in the official language of that state, it will be all the easier for him to pass on the instructions to his juniors to collect the information. If you make the same request in Hindi or English, the officer would first get into the process of getting a translation which would just delay your information and would create a hassle for the officer. As a researcher, find out the official area, write a translated request and create an application. To be double safe, include an English or Hindi version along with the local official language. It always helps. Remember, Indians are very touchy about language.

You have now prepared the body of your application; now let us see one important part. You have to make sure you provide your information in the application. Please remember that anonymous applications without proper details of the information seeker will be considered invalid. Plus even if they are considered, there will be no provision to send the answer back. The public information officer needs a name and address to send the reply to.

Some public authorities state the need for a copy of the identity card (like aadhar card, voter card, passport etc.) to be attached with the application for information. This requirement has no place in the Right to Information Act, 2005 or the Right to Information Rules, 2012. Lack of ID proof is no ground for rejection of information. In some states, the public authorities may demand the ID proof copy. As a researcher, you can provide your identity card issued by the college/research institute/organisation or any other card. For privacy, you can deface your mobile number etc.

In any case, you can provide the address of your institute. Even if you provide a P.O. Box number, you will get the information.

As mentioned earlier, it is always a good idea to provide your email address and make a request to the officer to send the information by email, if he so desires. He may use his discretion and do so, but he is not required to send the information by email if he is sending a hard copy of the same.

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Once you have written your application, with a proper list of questions/requests, addressed to the right public information officer and ending with your details, you have to do an important step.

You now have to pay an application fee of a token amount of Rupees ten. This fee can be paid by a couple of ways: 1. You can go to the public authority's office, look for the reception and ask for the designated counter and pay the fee in cash against a receipt and attach a copy of the receipt and deposit it to the same office in person. If the office has no such provision, then you can mail the application along with the copy of the receipt to the public information officer as addressed by you in the application. You are advised to use registered mail or speed post as it provides you a proof of dispatched mail. You can also track the speed post/registered post and see when it has reached the officer. The tracking can be done on the website of India post ([www.indiapost.gov.in](http://www.indiapost.gov.in))

the tracking ID is available on the speed post/registered post proof copy.

The second and the third way of making a payment require you to be careful about an important issue. The public authority's accounts mechanism has to be checked for the name on which the payment is to be made. In most cases it is the Accounts officer of the public authority that the payment has to be made in favour of. The accounts officer can be known as the Pay and Accounts Officer or the Accounts officer followed by the name of the public authority. Like: Accounts Officer, <Name of the Public Authority>.

In some cases the payment has to be made in the direct favour of the public authority. Like <Name of the Public Authority> without any mention of the Accounts officer or the Public Information officer.

You are requested to kindly check this from the website, authority office or contacting the Public Information Officer.

2. The second method is to pay in the name of the Public Authority as mentioned above in the form of:

A. a demand draft

B. A banker's cheque

C. Indian Postal Order. The amount as mentioned has to be a sum of Rupees Ten only.

The Indian Postal order can be obtained from the Post Office near you and on payment of a commission you shall get a receipt of the Indian Postal Order with the name of the person to whom the payment is being made. India post has also enabled online booking of Indian Postal Order exclusively for the purpose of RTI applications that are to be sent to most Public Authorities of the Central Government. It is called an eIPO and can be easily be booked at the E Post Office web page of India post. You can use Net Banking, Credit/Debit card to make a payment and get an IPO receipt which you can print and attach to your application and send physically.

3. Sometimes, the public authority will let you make a payment of the RTI application fee online through the portal of the public authority. This is a quick way of making the requisite payment for the RTI Application.

Once you have made the payment, you have to address an envelope to the Public Information officer of the Public Authority. In this envelope you have to put your application and the payment receipt copy. Once put, please seal the envelope and head to the nearest post office to book the envelope through registered post or speed post and get an acknowledgment folio which you can use as a record of dispatch and can use its tracking number to track the consignment for its delivery.

## THE INFORMATION HIERARCHY.

In the previous chapter we have seen how to file a successful RTI application to a public authority to get information for your research. My person prayer is that you don't need this chapter and that you are provided all the information that you had asked for by a proactive public officer in a public authority. This chapter is about the next steps to take in case your application for information fails to satisfy you.

This chapter is about appealing against your application for a review to be provided the information you have sought.

These steps in this information hierarchy are multi fold:

1. applying for a First Appeal with the First Appellate Authority, who is another officer (usually senior) in the public authority. This appeal is to be files within 30 days of receiving information and has to be replied to by the authority within 45 days.
2. If unsatisfied by the reply of the First Appellate Authority, you can appeal to the Information Commission. This can either be State Information Commission. In case your Public Authority falls under the purview of the Central Government the CIC or the Central Information Commission is the Second Appellate Authority. In case this jurisdiction is of a state government, the second appellate authority would be the State Information Commission of the State.
3. If you are unsatisfied by the reply of the Second Appellate Authority, you can approach the High Court and eventually the Supreme Court of India. Please remember that a decision of the State Information Commission cannot be appealed at the Central Information Commissioner. The High Court of the State has to be approached in case of appeal against the decision of the State Information Commission.

The application to file Appeals has a general logic and must contain the following:



1. an appeal application, which contains:
  - A. The appeal application.
  - B. The right details of the Appellate Authority to whom the appeal is addressed.
  - C. Your personal details so that you can be sent the reply. (Your address is not compulsory; you can also provide a PO Box number)
2. The reply by the lower authority in the hierarchy which you are not satisfied with.
3. Any supporting document.

There is no specific format to file an appeal. This is done to make it easy for people to file appeals.

## ONLINE PORTALS FOR RTI

The Central government has proactively made an online RTI Portal for the Online Submission payment, Processing and Disposal of RTI applications. This portal is called [www.rtionline.gov.in](http://www.rtionline.gov.in).

Using this, it has become very easy to file an RTI application.

You need the following to use this online portal:

1. Internet Connection/Data Pack
2. A working mobile for the OTP and an email address (For the First Registration process)
2. A computer/mobile/tablet which has an internet browser.
3. An online enabled Debit/Credit Card or net banking facility. The cards can be Rupay/MasterCard/Visa for sure.
4. Typed application in a softcopy or a scanned copy of a handwritten application.

Once you have these requirements in place, you can log on to the portal and 'Submit a Request'. Here you will have to select a public authority from drop down menu list which automatically lists the Public Authorities and their possible divisions based on the subject area of your request. Then the portal will ask you to type the request in 3000 characters which comes to about 450-550 words.

You can also upload a prewritten application as a soft copy in the form of a pdf file. Once written you can make the payment using the payment gateway using your credit/debit card or net banking. You can then submit it and get a Reference number for your request.

The advantage of using this portal is:

1. It is a single window portal for the request submission, payment and getting the reply for the various departments, ministries and sections of the Central

Government. You don't need to send physical letters, no need for standing in lines for Postal orders, demand drafts or the Speed Post. It is all online.

2. The transfer and the process are automatic and the requests get auto transferred to the right authority without any delay in time.

3. Any additional payment for supply of certified copies of the document can be done at the portal itself using electronic means.

4. If needed, the Appeal to the First Appellate Authority can also be made right within the portal itself.

The list of Active Online Portals with the web link is given as follows:

Central Government: [rtionline.gov.in](http://rtionline.gov.in)

Election Commission: <https://rti.eci.nic.in/>

Delhi: <https://rtionline.delhi.gov.in>

Maharashtra: <https://rtionline.maharashtra.gov.in/>

Meghalaya: <http://megrti.gov.in/meghalaya/>

Nagaland: <https://edistrict.nagaland.gov.in/>

Odisha: <http://rtiodisha.in/>

Punjab: <http://punjab.gov.in/eform/login.xhtml>

Tripura: [http://tripurarti.nic.in/rti\\_direct\\_complaint\\_lodging.php](http://tripurarti.nic.in/rti_direct_complaint_lodging.php)

Uttar Pradesh : <https://rtionline.up.gov.in/>

Uttarakhand: <http://uic.gov.in/ouic/forms/frmComplaint.aspx>

West Bengal: <http://wbic.cgg.gov.in/registration.do>

The other states/UTs in India don't have an online RTI Portal for the general public. One or two not in the list like Gujarat and Rajasthan have an online Second Appeal filing process using the State Information Commission website.

There are other portals run by Non-Governmental Agencies which enable you to file an RTI Application free of cost if it concerns a matter of public importance.

An example of such a portal is [www.yourti.in](http://www.yourti.in) which is run by a public advocacy NGO called Yugantar in Hyderabad, India. These portals are a great encouragement for researchers as they can very easily apply for information on

these portals. The YouRTI team then drafts the application, pays the application fee and tracks it in a very professional manner. They also file appeals on their own with a properly researched and quoted reply to the First or the Second Appellate Authority. Their portal is very easy to use and researcher friendly. Many researchers have gained immensely from their services.

## THE RESPONSIBLE RESEARCHER

*..to develop scientific temper, humanism and the spirit of inquiry and reform;*

### FUNDAMENTAL DUTIES IN THE CONSTITUTION OF INDIA.

You are now ready to use another tool in your research. If you follow the process in this book, you will definitely move things in your research with additional data rushing to you for analysis. Frontiers closed before will open for you and you will have access to the authentic government information which can be easily quoted in your research as reliable derived from a genuine secondary source.

There are some key properties that you will have to inculcate within yourself in order to be a winner with this method of information seeking. These are listed as follows:

1. **Patience:** Once you file an information request, you can be made to wait for 30 days for your first reply to it. Then there are chances that you might get the information you require. But, there are also chances that you don't get it. The public information officer may buy more time by transferring the request to another department or may ask for further payment for providing copies of the documents. This process takes time. And you must be patient. Answers will come. Information will flow. Be prepared to apply way in advance if there is a report that you have to make or data that you need to input.

2. **Persistence:** The Public Information officer may provide an answer which is equivalent to denying information, or be a wordplay method of saying no. Don't lose hope. If you think what you have asked is not exempt information and you have confirmed that, please go ahead and file a first appeal with the department. Some departments use this strategy of vague first replies to filter out non serious information seekers. A person like you who is into active research means

business. So go ahead and file the appeal. You will get a reply and a positive one. Your persistence will pave way for other researchers to have a free access to information from the public authority. If you are still not satisfied with the First Appeal, go ahead with the Second Appeal. It can be easily filed online on the website of the Central Information Commission ([cic.gov.in](http://cic.gov.in)). It will call for no expenditure and a minimal time investment.

3. Responsible use of Information: Always remember the Fundamental Duty of the Constitution and reinstate your allegiance to your country. If the government agency is sharing information, use it to the best of your ability for the betterment of the society by producing valuable processed information for your sphere of research. If you are taking information for research, use it for research and not for mere activism. Always remember, your research can be a better activism than any shallow attempt that you make before you have completed your research goal. A fully analysed, peer reviewed and university stamped research output will give you better credibility to make a point about a certain activist aspect of your research.

4. Research Ethics: As you have derived certain information from a public authority, give it credit and acknowledge its contribution to your research. Giving credit is the fundamental quality of an ethical researcher.

5. Educate yourself more about RTI: Everyday some judgement is passed in the Central Information Commission, State Information Commission, the High Courts or the Supreme Courts. The orders by these courts and authorities become case judgements and can enhance your skill in framing a more informed application or appeal. A precedence derived from one judgement can be a perfect answer to a Public Information who is denying information, to provide you with it.

6. Share your skill: If you have gained from this new skill of using RTI for your research, go ahead and enable more researchers, your fellows, your juniors and others around you to be more capable and use this skill. This will be good for

the discipline and food for the society in the long run. It will also keep the Government in the good habit of providing information to the citizens.

[i] <https://www.humanrightsinitiative.org/in-the-news/for-74-indian-activists-the-punishment-for-seeking-the-truth-has-been-death>

## EPILOGUE

When i first filed my RTI information request, it was a decade ago when i was a student waiting at a line to get a subsidised Public Bus Pass. The staff in two of the five counters was absent and the line was long. The other staff who was there was rude and my seventeen year old self couldn't take it. I wasn't really upset about the staff being rude but was rather not content with the absence of staff from the office. I got a reply regarding the staff and was invited in the application to inspect their attendance records. The next time i went there the counters were fully functional and the line was shorter.

Little did i know then that this commonly used public advocacy tool that RTI has come to be known as could be such a strong research tool for my research on Infection Control in Buildings. Replies by authorities are being received accurately and quickly. I used RTI after many failed attempts of writing to officers and visiting them in the offices. I just hope and pray that you, the reader will use this gift of democracy in a way that would take the country and the society forward.



**SAMPLE APPLICATION:**

To:  
The Central Public Information Officer (RTI),  
<Name of Organisation>

Sub:- Request for information under RTI-Act 2005-Application reg.  
Sir,

I \_\_\_\_\_ Son/Daughter/Wife of \_\_\_\_\_  
Resident of \_\_\_\_\_ wish to seek information, under the RTI Act,  
2005. The information needed is as follows:-

---

2. It is certified that I am a bona fide Citizen of India.
3. \*It is certified that I do fall under the category Below Poverty Line (BPL), and an attested copy of the relevant certificate (issued by the competent authority) is enclosed herewith for your information. (\*Please strike out if not belonging to the BPL category)
4. I have deposited the required amount of Rs.10/-(Rupees Ten only) towards application fee (Receipt enclosed) with DDO, NIC, vide receipt no. \_\_\_\_\_ dated \_\_\_\_\_. Further, I also undertake to pay any additional fees/charges (if applicable) as prescribed under the RTI Act and or relevant Rules.

(Signature of the Applicant)

Telephone No :

Fax No. :

E-mail Address :

**PROFORMA OF FIRST APPEAL UNDER SECTION 19(1) OF THE  
RIGHT TO INFORMATION ACT, 2005.**

To,

\_\_\_\_\_

\_\_\_\_\_

(Name & address of the  
Senior Officer acting as  
First Appellate Authority).

1. Name of the Applicant :
2. Address of the Applicant :
3. Particulars of the Central/  
State Public Information Officer:
  - (a) Name :
  - (b) Address:
4. Date of submission of application  
for seeking information :
5. Date on which 30/35/40 days from  
submission of application are over:
6. Reasons for appeal:  
(Please indicate separately for each question)
  - (a) No response received within the  
specified period:
  - (b) Aggrieved by the response received  
within the specified period
  - (c ) Grounds for appeal
7. Last date for filing the appeal :
8. Particulars of Information

Signature of Appellant

E-mail address, if any

Tel. No. (office) \_\_\_\_\_

` (Residence) \_\_\_\_\_

Place \_\_\_\_\_

Date \_\_\_\_\_

Please attach :

- (a) Copy of RTI application.
- (b) Copy of the response received from CPIO with which the appellant is aggrieved.

## ACKNOWLEDGEMENT

Special Thanks to Kareem Ansari of Yugantar,

My father for silently supporting me in this book and my actions of public advocacy and research. I say this particularly because any other father may be afraid that the son may get into trouble by asking for information from certain government organisations. Plus his qualification as a lawyer and a general interest in what is good has also been of help.

My wife and mother , for their support.

## ABOUT THE AUTHOR

### Raja Singh

Raja Singh is currently a Researcher at the School of Planning and Architecture, New Delhi. He has previously worked on various positions as a teacher, project lead and in project teams. On finishing his degree in Architecture, he went on to do his Masters in Energy Efficient and Sustainable Architecture from NIT Trichy. He is currently working in the area of research on the contribution of Architects in Airborne Infection Control. He is an avid reader and has a keen interest in public policy and strives for people's intervention in governing it.