

How to write First Appeal under RTI?

Simple Guidelines to follow while filing 1st Appeal under Right to Information Act 2005.

First appeal has to be filed within 30 days from date of receipt of decision of CPIO by the applicant with First Appellate Authority (FAA).

If no reply is received within 30 days (35 days if application is lodged with ACPIO) from the date of receipt by CPIO (ACPIO), then first appeal has to be filed within 30 days from the date when reply was due from CPIO.

Find out name, designation and address of first appellate authority from the decision letter of CPIO. If no reply is received, visit the web-site of the govt. dept/office/undertaking and refer RTI icon for these details.

Despite above efforts, if you are not in a position to locate details of FAA, address your first appeal as under:

The First Appellate Authority under RTI Act 2005
C/O.

Head of _____ Dept/office
and mention address of CPIO's dept/office

If you want to be present during the first appeal hearing, mention it at the end of your appeal.

No fee is prescribed for first appeal for Public Authorities under the Central Government.

Some States have a prescribed fee and a specified format for First Appeal. Please check RTI Rules of individual States regarding First Appeal fees (if any), mode of payment, format (if any) if your First Appeal is to a Public Authority falling under State Government. Please visit www.rti.gov.in for details of various states.

All photocopies of enclosures mentioned in the appeal should be self-attested by the applicant under the word 'Attested' and full signature.

Retain one set of appeal and postal receipt and AD receipt.

You can deliver personally also, but mailing by registered ad/speed post is preferable. Couriers should be avoided.

FAA has to decide on the appeal within 30 days from the date of receipt of first appeal. He can take a further 15 days (total 45 days), provided he gives the reasons for the delay in writing.

The FAA can give either a "spoken" order or a written order.