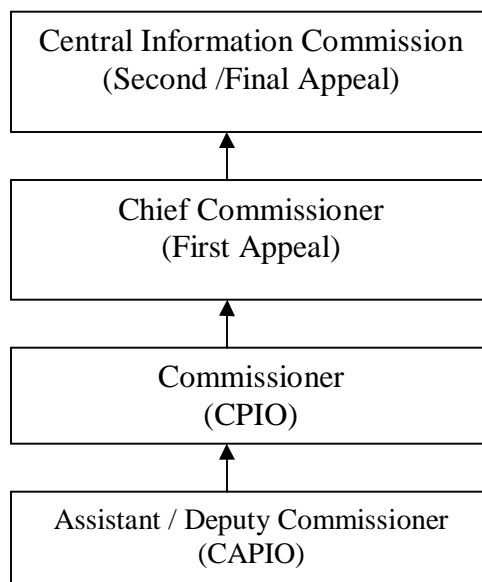


GRIEVANCE REDRESSAL AUTHORITY

- **Sec 12(1) & 15(1)** – Envisages an independent Central State Information Commission, as appellate authority and to oversee the functioning of the Act.
- **Sec 18** – The commission may initiate an enquiry, and while enquiring shall have the same powers as are vested in a Civil Court.
- **Sec 19(1)** –
 - First appeal to next higher authority of CPIO in the department.
 - Second appeal with Central Information Commission.
 - Appeal to be disposed of in 30-45 days.
 - Onus of proof on refuser / public authority.
- **Sec 19(8)** – The Commission has the power to direct the public authority to:

Ensure compliance with the provisions of this Act including specifying the steps to be taken for compliance.

- (i) Appoint CPIO / CAPIO,
 - (ii) Publish certain information or categories of information,
 - (iii) Make necessary changes regarding maintenance, management and destruction of records,
 - (iv) Enhance the provision of training on the Right to Information of officers of the public authority,
- **Sec 20(2)** – Recommend disciplinary proceedings against CPIO / CAPIO.
 - **Sec 25(1)** – The commission shall prepare an Annual Report on the implementation of the Act.
 - **Sec 25(2)** – The Ministry or the Department in relation to its public authorities shall collect and provide information for the Commission to prepare its Annual Report as envisaged in Sec 25(1) above.
 - **Sec 25(4)** - The Government shall place this report before the Parliament / State Legislature.



The RTI Act, 2005 defines the Appellate Authorities that may handle the grievances of the information requester or seeker. These include :

- **First Appeal:** First appeal to the officer senior in rank to the PIO in the concerned Public Authority within 30 days from the expiry of the prescribed time limit or from the receipt of the decision (delay may be condoned by the Appellate Department if sufficient cause is shown).
- **Second Appeal:** Second appeal to the Central Information Commission or the State Information Commission as the case may be, within 90 days of the date on which the decision was given or should have been made by the First Appellate Department. (Delay may be condoned by the Commission if sufficient cause is shown).

Third Party appeal against PIO's decision must be filed within 30 days before first Appellate Department; and, within 90 days of the decision on the first appeal, before the appropriate Information Commission which is the second appellate Department.

Burden of proving that denial of Information was justified lies with the PIO.

First Appeal shall be disposed of within 30 days from the date of its receipt. Period extendable by 15 days if necessary.