

# Appeal Process

- If PIO sends you rejection notice; or
- If no response or information within the time limit; or
- If you receive unsatisfactory information.

**Appeal**

**Complaint**

Write an appeal to First Appellate Authority (FAA) within the public authority within 30 days, if:-

- You are aggrieved by the decision notice of the PIO;
- The PIO or APIO refuses your application.
- The fee charged is unreasonable.
- Information is not provided within the time limits.
- The information provided is incomplete, misleading or false
- Unsatisfactory mode of information
- Not provided in the same format sought

Complain (in writing) to the Central or State Information Commission, if:-

- You are unable to submit a request as;
  - No PIO or APIO has been appointed;
  - PIO or APIO refuses to accept your application or appeal;
  - not forwarding your application to the PIO;
  - PIO do not forward your Appeal to the Appellate Authority
- You are refused access to information;
- No response to your request or access within the time limit.
- You are charged unreasonable fees;
- you alleges that information is incomplete, misleading or false.
- Any other matter regarding accessing information.

Submit your appeal  
(No fee for appeal)

FAA to dispose appeal within 30 days.  
(can be extended upto 45 days, for reasons to be recorded in writing)

FAA accepts your appeal.  
(Decides in your favour)

- FAA rejects your appeal;
- No decision from the FAA within the time limit;
- Decision of FAA is unsatisfactory.

Appeal within 90 days

No time limit for filing complaints.

Information to be provided as soon as possible.

Write to the Central or State Information Commission  
(Second Appellate Authority)

IC conducts oral hearing of:  
FAA, PIO, and the Appellant.  
[IC reviews documents, PIO to justify non-disclosure. You and any third parties involved have a right to be heard.]

IC accepts the appeal/complaint.  
- notifies the appellant;  
- orders PIO for release of information;  
- orders public authority to comply with RTI Act.

IC rejects the appeal/complaint and gives you notice of the decision.

IC could:-

- impose penalty on the PIO;
- recommend Disciplinary Action against the PIO;
- order to compensate you for any loss or other detriment suffered;

RTI is a fundamental right. Therefore, you can appeal to the State High Court or Supreme Court.

**Time limits:**

**First Appeal:**

- Appeal to FAA within 30 days from date of expiry of time limit or the receipt of decision of PIO.
- Disposal of First Appeal by FAA within 30 days from the date of receipt of first appeal. (Extension possible upto 45 days from the date of filing of appeal and with reasons to be recorded in writing.)

**Second Appeal:**

- Appeal within 90 days from date on which first appeal decision should have been made or from which first appeal decision was actually received.
- No time limit for disposal.

**Complaints:**

No time limit for filing.

- First Appeal should be addressed to the First Appellate Authority and the Second Appeal to the Chief Information Commissioner.
- No fee for appeal or complaint.
- Appeal should be routed first through the FAA whereas Complaint can be made directly to the IC.
- Decision of commission is BINDING.
- No courts can entertain any suit, application or other proceeding, except by way of appeal under the RTI Act.