

## Steps for Disposal of Requests

### **A. On receive of application**

1. Whether the applicant is a bonafide citizen of India? (RTI Act applies only to citizen of India)
2. Name of the Applicant, Contact Address including phone Nos. or e-mail (if any). (This is required for intimating the applicant about the cost of information and in providing the information)
3. Ensure that the Application is accompanied by Application Fee of Rs. 10/- (prescribed by the Government of Nagaland) in the form of cash/DD/Cheque or proof of payment. Application Fee of Rs. 10/- shall be collected and deposited into State Exchequer at the end of every month.
4. Whether the applicant falls under BPL category. If so, verify proof of identity like Voters Identity Card, Ration Card etc. For BPL there is no fee.
5. If the applicant is a sensorily disabled person, assist such person to make request.
6. If oral request is received, say from an illiterate person, reduce such oral request to writing. (make the request more specific).
7. The PIO need not ask the reason for requesting information.
8. Issue acknowledgement and receipt of the Application and the Fee to the applicant.
9. Open a Case File and record in the Case File Index Register.
10. Mark the application with an ID No. and date of receipt of the application. (*PIO or APIO cannot refuse an application*). Time limit in providing information starts from the date of receipt of application and not from the date when the application was written.
11. If APIO receives the application, transfer it to the PIO at the earliest. (*additional 5 days is added to the time limit*).
12. Whether the information is related to your own Public Authority? **If yes, go to B.**
13. Whether the information is related to another Public Authority? **If yes, go to C.**
14. Whether the Information sought relates to or affects a Third Party? **If so, go to D.**

### **B. How to furnish information to the applicant pertaining to your organization(public authority):**

1. Check the details of information sought by the Applicant.
2. Whether the information falls under Section 8 or Section 9 of the RTI Act? *If so, send a letter of rejection, with reasons, citizen's right to appeal under the Act and details of appellate authority to whom appeal can be preferred.*
3. In what format the applicant wants the information?
4. In what means of communication the applicant wants the information?
5. Whether information is/are readily available with the PIO?
6. Whether the information is available in published data?
7. Whether the information is available in electronic format?
8. Whether the information can be located from the catalogue of records available with the PIO?
9. Whether information is/are published as Manuals under the RTI Act?
10. Whether information is/are available on department's Web Site or Web Site of the public authority under the control of your department?
11. Whether partial information is to be given or not? Any part of the information that falls under the sections 8 or 9 may be severed and the remaining information be given. Give

reasons for such decision of severance, name and designation of person giving the decision.

12. Whether the information sought concerns the life or liberty of a person? Such information should be provided within 48 hours.
13. Name of concerned Section/Branch/Cell holding the requested information.
14. If the requested information is dealt or held by another officer, transfer the application in writing to that concerned officer. (*In this case, that concerned officer shall be considered as 'deemed PIO' for that particular case*). A proper register has to be maintained to record all such action taken, as well, for such action will be an action in good faith on the part of the PIO.
15. Calculate the details of the cost of information, as per the prescribed rates/fees fixed by the State Government. (refer to the "Nagaland State Right to Information (Regulation of Fee and Cost) Rules, 2005").
16. Intimate the applicant about the details of calculations how the total amount is arrived at, the modalities of deposit of fee, the right of the applicant for seeking review of the fees charged and appeal against the calculation. An applicant can appeal for unreasonable fees being charged.
17. Wherever required, provide assistance to citizens for inspection of works, materials, certified samples of materials etc.
18. Wait till the applicant pays the fees. (*the date between the intimation of fees to the applicant and the date till the applicant pays the fee is called 'intervening period' and is not counted within the time limit*).
19. On receipt of payment or proof of payment for the cost of information from the applicant, provide the information to the applicant. If the PIO fails to give decision on the request within the period specified, he shall be deemed to have refused the request.

**C. Information related to another Public Authority:**

1. Transfer the application in writing to that concerned Public Authority within 5 days from the date of receipt of the application.
2. Inform the applicant about such transfer.
3. Make necessary entries in the Register being maintained

**D. Information relating to or affecting a Third Party:**

1. Give a written notice to the Third Party within 5 days from the date of receipt of the application, seeking its view or comments whether to disclose or not. (an opportunity of 10 days is given to the Third Party for the reply either in writing or orally).
2. Act according to the view or comments given by the Third Party. If the opinion of the Third Party and the PIO differs and that the Third Party is not satisfied with the decision of the PIO, the Third Party has the right to file an appeal.

**Inspection of Work / Record and Taking Sample(s)**

Right to Information includes, *inter alia*, inspection of work, documents, records, taking notes, extracts and certified samples of material. In consultation with the concerned sections/divisions/offices in Government Departments, PIOs may fix a day or two of the week for applicants to take samples and for inspection of material. Such an arrangement may not disturb the work in the section/division/office and the citizen would also be aware of the days of visit to the PIO/Public Authority.

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