

## **A Step by Step Guide for State Assistant Public Information Officers**

### **The Assistant Public Information Officer**

The RTI Act requires that the State Government designate Assistant Public Information Officers at the sub-divisional or sub-district level.

#### **Please remember –**

– the Assistant Public Information Officer is not an assistant to the CPIO or the SPIO. In public authorities controlled by State Governments they are called State Assistant Public Information Officers (SAPIOs).

### **Duties and Responsibilities of SAPIOs**

#### **• DUTY TO FORWARD INFORMATION REQUESTS TO THE PIO**

Under the law the SAPIOs will act like a Post Office. Every SAPIO has the duty and responsibility to receive information requests from citizens and forward them to the PIO of the concerned public authority that is likely to have the information being sought by the applicant.

#### **Please remember –**

– a SAPIO is not responsible for giving information to the requestor. (It is the responsibility of the Public Information Officer to give information to the requestor.)  
– a SAPIO does not have the power to ask the requestor why he/she wants such information. (The RTI Act states clearly that the requestor should not be asked to give reasons for seeking information)

#### **• DUTY TO FORWARD APPEALS TO THE DAA AND THE INFORMATION COMMISSION**

The SAPIO also has the duty and responsibility to receive appeals against the decision of PIOs and forward them to the Departmental Appellate Authority or the State Information Commission as required in the letter of appeal submitted by the aggrieved citizen.

#### **Please remember –**

– The SAPIO must forward all applications received by him immediately. (The RTI Act allows the PIO only 5 extra days over and above the limit of 30 days to give information to the applicant if the request is forwarded through the SAPIO. So it is important to send the application to the PIO without any delay.)  
– The SAPIO must forward all appeals received by him to the concerned DAA or the SIC immediately.  
– The citizen has the right to send a complaint to the IC if the SAPIO does not accept his application and forward it to the PIO. If proven guilty the SAPIO may be fined by the SIC from a minimum of Rs. 250/- up to a maximum of Rs. 25,000/- for each offence.

## **Forwarding Information Requests A Step by Step Guide**

### **For Applications received in person**

#### **Step 1 : Receiving the Application**

As far as possible please receive citizens' applications for information personally.

#### **Advice:**

If you are on leave or travelling on duty please delegate the task of receiving applications to your colleague or subordinate in writing. This standby arrangement must be displayed on the main notice board for the benefit of common people.

#### **Step 2 : Checking the Application**

Please check whether the application contains the following details and enclosures –

- i) name of the applicant
- ii) name of the father/husband (as the case may be) of the applicant
- iii) contact details of the applicant including complete postal address, telephone numbers and email address (if any)
- iv) name of the public authority from whom the information is being requested
- v) nature and details of the information requested

- vi) whether proof of payment of application fee is attached or not
- vii) if the applicant claims fee waiver whether proof of BPL status is attached or not
- viii) date on which application is being submitted.

Advice:-

- 1) If the application is not legible please assist the applicant to write it clearly.
- 2) If the applicant has not filled in one or more of the above details please bring the same to his/her notice and request him/her to fill in the details.
- 3) Please make sure that the date mentioned on the application matches with the date on which you are actually receiving the application. This is very important for calculating the deadline while forwarding the application to the PIO.
- 4) The Government will notify the amount of application fees payable.
- 5) The applicant may have attached a bank draft, postal order, court fee stamp or proof of payment of application fee by any other mode prescribed by the Government. All such payments are valid. Please do not insist on a particular mode of payment.
- 6) The applicant may not always know the exact name and complete postal address of the public authority who has the information he/she wants. So please do not insist upon the applicant to furnish these details. It is the duty of the SPIO to send the application to the concerned PIO. (The PIO directory published by the State Government may be consulted for this purpose.)
- 7) If claiming fee waiver, the BPL applicant must attach a photocopy of a BPL/Antyodaya ration card or any other valid proof of BPL identity that may be prescribed by the Government.

### **Step 3 : Collecting Application Fees/Proof of Identity**

If the applicant has not already attached proof of payment of application fees you may collect the prescribed application fee in cash.

**or**

If the applicant has not attached proof of BPL identity in support of his/her claim for fee waiver please request the applicant to furnish the same.

### **Step 4 : Issuing Receipt**

Please issue a written receipt in the prescribed format for every complete application received.

Advice:

- A complete application must include all details mentioned in Step 2 above and proof of payment of application fee or proof of BPL identity (as the case may be).
- Receipt format will be printed in triplicate. Please issue the original to the applicant. Receipts must be issued to BPL applicants also. This receipt may include details such as the name and address of the applicant, the date on which the application was received and whether application fees has been paid in cash or by any other mode. If fee waiver is being claimed please mention so. Please sign and stamp the receipt.

Advice:

- Please remember this is not just a cash receipt. It is a receipt issued as proof of having received the citizen's application for information with or without the prescribed fees.
- Please issue this receipt immediately. Do not request the applicant to come back another day to collect the receipt.
- Please remember to mention the date on the receipt clearly.

### **Step 5 : Registering Complete Applications**

Please enter the details of the complete application into the RTI Applications register prescribed by Government. All complete applications should be entered into this register the same day they are received.

### **Step 6: Dispatching Complete Applications to the concerned PIO**

Please dispatch the complete application along with the duplicate of the receipt issued, to the concerned SPIO by post or courier on the same day you receive it. If for some reason you are unable to dispatch the application on the same day you should dispatch it the following working day. The prescribed format may be used for the covering letter. This format will contain details such as your name, designation and contact address, date of receipt of application, registration number, fees collected (if any) and enclosures (if any).

Advice:

- If the application is not addressed to a specific SPIO or a public authority please read through the nature of information being requested. This will help you identify the public authority that is most likely to possess the information requested. You may then dispatch the complete application to the concerned PIO using the PIO directory published by the Government.
- You need not maintain a copy of the application for your records.

**For applications received by post or courier**

? Please follow Step 2.

? If the application is complete in all respects, please enter the details of the application in the prescribed RTI Applications register on the same day you receive it.

? After registering the application in the RTI Applications Register please issue a receipt in the prescribed format and dispatch it to the applicant by post/courier on the same day. If for some reason you are unable to dispatch the receipt on the same day you should dispatch it the following working day.

? If the application clearly mentions the public authority from which information is being requested please dispatch it to the concerned SPIO on the same day you receive it. If for some reason you are unable to dispatch the application on the same day you should dispatch it the following working day.

? If the application is not addressed to a specific public authority please read through the nature of information being requested. This will help you identify the public authority that is most likely to possess the information requested. (The PIO directory published by the State Government may be consulted for this purpose.) You may then dispatch the complete application to the concerned SPIO with a covering letter in the prescribed format.

**Advice:**

- If the applicant has not attached proof of payment of application fees and has also not claimed fee waiver – please send a communication by post/courier to the sender requesting him to furnish proof of payment of the prescribed application fees or visit your office to pay the fees in cash. If the application contains a contact telephone number please call up the applicant advising him/her to pay the application fees. This action saves time and effort and prevents wastage of stationery.

- Similarly if the applicant has not attached proof of identity despite claiming fee waiver in the application - please send a communication by post/courier to the sender requesting him/her to furnish proof of BPL identity. If the application contains a contact telephone number please call up the applicant advising him/her to furnish proof of BPL identity. This action saves time and effort and prevents wastage of stationery.

- If any of the details are missing or illegible please return the application by post/courier to the sender requesting him/her to fill in the missing or unclear details. If the application contains a contact telephone number please call up the applicant requesting him/her to visit your office to fill in the missing details.

### **Forwarding Information Requests A Step by Step Guide**

#### **For appeals received in person:**

##### **Step 1 : Receiving Appeals**

As far as possible please receive citizens' appeals personally. A SAPIO is empowered to receive appeals addressed to the Departmental Appellate Authority (DAA) and the State Information Commission (SIC).

**Advice:**

If you are on leave or travelling on duty please delegate the task of receiving appeals to your colleague or subordinate in writing. This standby arrangement must be displayed on the main notice board for the benefit of common people.

##### **Step 2 : Checking Appeals**

Please check whether the appeal contains the following details and enclosures –

- i) name of the appellant
- ii) name of the father/husband (as the case may be) of the appellant
- iii) contact details of the appellant including complete postal address, telephone numbers and email address (if any)
- iv) authority to which appeal is being sent (whether DAA or the SIC)
- v) details of the authority against whose decision the appeal is being made (whether PIO or DAA)
- vi) nature and details of the information requested originally
- vii) copy of the information request submitted to the PIO/appeal letter sent to the DAA (whichever is applicable)
- viii) rejection letter issued by the PIO against the appellant's information request (if any)
- ix) copy of the order issued by the DAA (if any)
- x) date on which appeal is being submitted.

**Advice:-**

- 1) If the appeal letter is not legible please assist the appellant to write it clearly.

- 2) If the appellant has not filled in one or more of the above details please bring the same to his/her notice and request him/her to fill in the details wherever applicable.
- 3) Please make sure that the date mentioned on the appeal matches with the date on which you are actually receiving the letter. This is very important for calculating the deadline while forwarding the appeal to the concerned appellate authority.
- 4) There is no fee prescribed for filing appeals.
- 5) The appellant may not always know the exact name and complete postal address of the appellate authority he/she wishes to appeal to. So please do not insist upon the appellant to furnish these details. It is the duty of the SAPIO to send the appeal to the concerned appellate authority. The directory published by the State Government may be consulted for this purpose.)

### **Step 3 : Issuing receipt**

Please issue a written receipt in the prescribed format for every complete appeal received.

#### **Advice:**

- The appellant is not required to pay any fees for sending an appeal.
- The appeal letter must be treated as complete if it contains the above details and enclosures relevant to the case.

### **Step 4 : Registering the Appeals**

Details of every complete appeal letter should be entered in the RTI Appeals register prescribed by the Government.

### **Step 5: Dispatching Appeals**

Every complete appeal must be dispatched to the concerned DAA or the SIC (as the case may be) on the same day you receive it along with a covering letter in the prescribed format. If for some reason you are unable to dispatch the appeal on the same day you should dispatch it the following working day. The covering letter will include details such as your name, designation and contact address, date of receipt of appeal, registration number and details of enclosures.

#### **Advice:**

- You need not maintain a copy of the appeal for your records.

### **For appeals received by post or courier**

- Please follow Step 2. If the appellant has not filled in one or more of the above details please return the appeal letter by post/courier to the sender requesting him/her to fill in the missing or unclear details. If the appeal letter contains a contact telephone number please call up the appellant requesting him/her to visit your office to fill in the missing details. This action saves time and effort and prevents wastage of stationery.
- If the appeal is complete in all respects, please enter the details of the appeal in the prescribed RTI Appeals register on the same day you receive it.
- After registering the appeal please issue a receipt in the prescribed format and dispatch it to the appellant by post/courier on the same day. If for some reason you are unable to dispatch the receipt on the same day you should dispatch it the following working day.
- If the appeal clearly mentions the public authority to which the appeal is being made please dispatch it to the concerned DAA on the same day you receive it. If for some reason you are unable to dispatch the application on the same day you should dispatch it the following working day.
- If the application is not addressed to a specific public authority please read through the appeal letter. This will help you identify the DAA that is most likely to decide upon the appeal. (The directory published by the State Government may be consulted for this purpose.) You may then dispatch the complete application to the concerned DAA. If not you may forward the appeal to the State Information Commission directly. The appeal should be accompanied with a covering letter in the prescribed format.