

Fees payable (BPL Applicants need not pay any fee)							
	Application Fee	Additional Fees				Inspection Fees	Mode of Payment
Central Government	Rs 10/-	A4/A3 size paper - Rs. 2/- per page. Larger size paper - Actual Cost.	Printed publications – actual cost or Rs. 2/- per page for photocopies or extracts	Rs. 50/- for a floppy or CD	Actual price for sample or model	First hour free. Every extra hour or its fraction - Rs. 5/-	Cash, bankers cheque, Demand Draft or Indian Postal Order
West Bengal Government		A4/A3 size paper - Rs. 2/- per page. Larger size paper - Actual Cost.	Printed publications – actual cost or Rs. 2/- per page for photocopies or extracts	Rs. 50/- for a floppy or CD	Actual price for sample or model	Rs. 5/- every 15 minutes	Court-Fee Stamp only

What can you do if you do not get the information?

If the PIO -

- refuses to receive your application;
- does not give you the information within the time limit;
- demands additional fee which you think is unreasonably high;
- does not reply to your application at all;
- denies access to information in an unreasonable manner;
- gives you false, misleading or incomplete information or
- destroys the records whose copies you had requested

You have the right to file an appeal within the same public authority within 30 days. Every public authority has appointed an officer senior in rank to the PIO as the Appellate Authority. For contact details of appellate authorities please visit the following websites –

<http://rti.gov.in/ministrynew> - for Central Government offices

<http://darpg.nic.in/arpq-website> - for Government of West Bengal

The Appellate Authority has a duty to give a written decision on your appeal within 45 days.

Or you may file a complaint with the Information Commission directly

In matters relating to offices under the Central Government, file your complaint with the Central Information Commission.

Central Information Commission
August Kranti Bhawan, Room No.:295-315, 2nd Floor, B Wing, Bhikaji Cama Place, New Delhi
Tel: 011-26180512/0514/0517/0532, Website: www.cic.gov.in

 **Commonwealth Human Rights Initiative**
B-117, First Floor, Sarvodaya Enclave, New Delhi - 110017
Tel: 011-2686 4678, 2685 0523, Fax: 011-2686 4688
E-mail: chriall@nda.vsnl.net.in
Website: www.humanrightsinitiative.org

In matters relating to offices under the Government of West Bengal or the district administration, file your complaint with the West Bengal State Information Commission.


West Bengal State Information Commission
2nd Floor, Bhabani Bhavan, Alipore, Kolkata - 700027
Tel: 033-2225858; Fax : 033-2479166; e-mail: scic@wb.nic.in; Website: www.rtiwb.gov.in

You may also file a second appeal with the appropriate Information Commission if you do not receive a satisfactory decision from the Appellate Authority mentioned above.

Information Commissions have the powers of a civil court to conduct inquiries into your complaints/second appeals. If the PIO or any other officer is found guilty of wrong doing under the RTI Act, then the Information Commission may -

- impose a penalty of Rs. 250/- per day up to a maximum of Rs. 25,000/-;
- recommend disciplinary action against any PIO who is frequently violating the Act.

In any appeal or complaint case it is the PIO's responsibility to justify why you should not be given the information. You need not give reasons explaining why you want the information. But you are free to argue why the information should be disclosed in public interest.

 **Are you up to the challenge?**
Today lakhs of people across India are using the RTI Act to hold the government accountable. Do you not want to join this movement? Use your right to information to shape the country's progress.

All India Centre for Urban and Rural Development, W.B. Unit
Ezra Mansion, 3rd Floor, Room No. - 26A
10 Govt. Place (E), Kolkata - 700069
Phone: 033-2248 3050; Mob: 09433707624



CHRI's work on the Right to Information is supported by the British High Commission

Text, design & formatting: Venkatesh Nayak, Amitava Choudhury, Sohini Paul, February 2008

RIGHT TO INFORMATION



West Bengal

YOUR GUIDE

Do you want to know?

- Why the roads in your neighbourhood are in bad shape? How much money was sanctioned and how much was spent on their repair?
- Why you have not received your electricity connection even though you applied for it long ago?
- How many posts fall vacant in government offices every month and who is responsible for advertising them?
- How much money is spent by the Government for creating jobs every year?
- What kinds of services you are entitled to receive at primary health centres?
- Which welfare and pension schemes are available for senior citizens?

Have you tried to contact government offices in the past to get answers to such questions ?

Chances are, despite several visits you might not have received a satisfactory reply.

The situation has changed now. Since 12th October 2005 the Right to Information Act (RTI Act) is being implemented all over the country including West Bengal. All Government Offices are duty bound to give you information about such and other questions.

Seek information – it is your fundamental right
Government bodies have a duty to give it to you

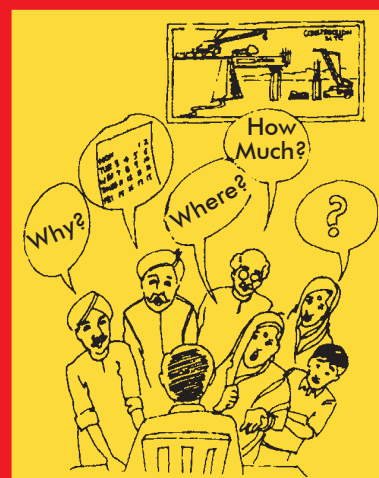
India is a democracy. You elect the government every five years. Every time you buy something from a shop you pay sales tax/VAT or excise duty along with the price of the item. Every citizen of India pays some tax or the other. The government collects taxes from you to pay salaries to officers and finance development schemes meant for your benefit.



So when you elect the government and you pay taxes, should you not hold the Government accountable for what it does in your name?

Under the Right to Information Act, 2005

- You can seek and receive information from any government office – be it your local village council or municipality or even the office of the President of India.



- Public Information Officers (PIOs) have been appointed in all Central and State Government offices to deal with information requests received from citizens.

- Every PIO has a duty to provide you access to government records and documents. If any information cannot be given he has a duty to tell you why.

As a citizen you have the right to seek and receive all information that an MP or MLA can get from Government.

Voluntary Disclosure

Every ministry, department, board, public sector enterprise, public sector bank and any other public authority under the State and Central Government should give you the following information voluntarily-

- The name, designation, powers, duties, responsibilities and salaries of all officers;
- The decision-making procedure in all matters and the norms set for taking action on any matter;
- Details of all rules, regulations, instructions, manuals and guidelines used by officers in their work;
- A list of all categories of records available in their offices;
- The proposed budget, allocation of funds and reports about their distribution;
- The manner of implementation of subsidy schemes, list of beneficiaries and amount of funds sanctioned to them;
- Details of recipients of any permit, authorisation or concession issued and;
- Name and designation of PIOs.

All this information should be available with the PIO. The PIO has a duty to give all this information to you on demand. There is no need to submit a written application or pay applications fees. The PIO may charge you for printouts or photocopies (not more than Rs. 2/- per page)

Now under the RTI Act you have the right to:

- Inspect government files and records and take notes or extracts
- Seek and receive certified copies of government records
- Inspect, on the spot, public works such as construction of roads and buildings
- Collect certified samples of materials used in public works and offices
- Seek and receive copies of information held in electronic format

Accessing other kinds of information

Besides the information that public authorities are required to give you on their own, you have the right to seek and receive other information which may be in the form of records, documents, memos, emails, circulars, file notings, advice, log books, contracts, reports, papers, samples etc.

- You should submit a written application along with the application fee to the PIO of the office which may have the information you require. (The fee rates are given overleaf.) You may send your application by post or email also.



- You may use the application format given in the next column to draft your information request. It is not compulsory to use pre-printed forms. The PIO has a duty to receive applications written/typed on plain paper as well.

The PIO does not have the power to ask you why you need the information. You have the right to seek information without giving any explanation to any officer.

- The PIO has a duty to give you a written acknowledgement upon receiving your application.
- If the information you want is not available with the public authority where the PIO is working, it is his/her duty to transfer the application within 5 days to such other public authority that is likely to have it. He should inform you of the transfer in writing. You need not pay application fees once again.
- The PIO may charge you additional fee for providing copies of records. He will inform you of the additional fee in writing (The fee rates are given overleaf.)
- If you think the additional fee charged is very high, then you have the right to seek a review before the Appellate Authority or the relevant Information Commission. (Addresses are given overleaf.)
- The PIO has a duty to give you the information you want or inform you in writing why it cannot be given, within 30 days. (Add five days if the application is transferred from one public authority to another.)

If the information you have requested relates to the life and liberty of any person, then the PIO has a duty to give it to you within 48 hours.

Application under section 6(1) of the Right to Information Act 2005

Recommended format

To,
The Public Information Officer
.....
(Address of the public authority).....

Affix Court Fee
Stamp

- Applicant's name:
- Applicant's address and contact number:
- Details of the information requested-
 - description of the information required:
 - period for which information is required:
 - Form of access: photocopy /certified copy/ floppy/ CD/ certified sample/ inspection*.....
 - How will the information be collected?: in person/by post[†].....
- Application Fee paid : Yes / No[†]

Signature of the Applicant

Date :.....

Place :.....

* choose the form of access you prefer. [†] choose one

- You may also request inspection of a file or records by submitting an application and paying the necessary fee. (The fee rates are given overleaf.)

However, the PIO may refuse to give you information, if:

- disclosure will harm the sovereignty, integrity, security, strategic or economic interests of India;
- disclosure may provoke anybody to commit a crime;
- disclosure may lead to contempt of court or if any court or tribunal has ordered that the requested information should not be disclosed;
- disclosure may endanger the life or safety of a person;
- disclosure is likely to put obstacles in the process of investigation of crimes or the arrest or prosecution of offenders;
- disclosure will reveal the trade secrets or other similar information of commercial bodies and harm their ability to compete with others
- it is personal information and no public interest is served by disclosing it.

However, even if the information you want belongs to any of these categories the PIO has a duty to give it to you if public interest is likely to be served better by such disclosure.