

**BOOKLET ON**

**DUTIES AND RESPONSIBILITIES  
OF  
APPLICANT**

**PUBLISHED BY:  
MEGHALAYA STATE INFORMATION COMMISSION**



## **PREFACE**

The Right to Information Act, 2005, stands as a landmark in India's democratic journey, reaffirming the citizens' fundamental right to know and ensuring transparency and accountability in the working of public authorities. Over the years, the effective implementation of the Act has empowered citizens, strengthened governance, and fostered a culture of openness and participatory democracy.

The Meghalaya State Information Commission has consistently endeavoured to make the provisions of the RTI Act accessible and understandable to every citizen. This booklet, titled "Duties and Responsibilities of Applicant," has been prepared to serve as a concise yet comprehensive guide for individuals seeking information under the RTI framework. It outlines the essential procedures, rights, and obligations of applicants, while also highlighting the statutory duties of Public Information Officers and the appellate mechanisms available under the law.

By simplifying key provisions, explaining procedural steps, and providing relevant references from notifications, office memoranda, and the Meghalaya Right to Information Rules, 2025, this publication aims to promote informed participation among citizens. It also seeks to encourage responsible use of the Act, ensuring that the right to information is exercised constructively, efficiently, and with due regard for the public interest.

The Commission hopes that this booklet will serve as a valuable reference for applicants, public officials, and all stakeholders committed to transparency and good governance. The booklet will also be available online on the official website of the Meghalaya State Information Commission at <http://megsic.gov.in>.

**MEGHALAYA STATE INFORMATION COMMISSION**



## Section-2: Important Definitions:

(f) “**information**” means any material in any form, including records, documents, memos, emails, opinions, advices, press releases, circulars, orders, log books, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.

Note:-

- (1) The Office Memorandum of the Government of India No.1/20/2009-IR, dated 23.06.2009, clarifies that file noting can be disclosed except file noting containing information exempted from disclosure under Section 8 of the Act.
- (2) The Office Memorandum of the Government of India No.10/2/2008-IR, dated 12.06.2008 and No.10/2/2008/IR dated 01.06.2009, the definition of “information” does not include answering to the Questions such as “Why”.
- (3) Office Memorandum of the Government of India No.10/2/2008-IR dated 10.07.2008, specify that material available with a public authority is to be provided in the same form as it exists; it is not for the public authority to research on behalf of the citizen, deduce inferences and provide information.

(h) “**public authority**” means any authority or body or institution of self-government established or constituted –

- a) by or under the Constitution;
- b) by any other law made by Parliament;
- c) by any other law made by State Legislature;
- d) by notification issued or order made by the

appropriate Government and includes any—

- (i) body owned, controlled or substantially financed;
- (ii) non-Government organization substantially financed, directly or indirectly by funds provided by the appropriate Government.

Note:- If any question arises as to whether an organization is a public authority, the party concerned shall have to present evidence regarding the same.

(i) **“record” includes –**

- (a) any document, manuscript and file;
- (b) any microfilm, microfiche and facsimile copy of a document;
- (c) any reproduction of image or images embodied in such microfilm and
- (d) any other material produced by a computer or any other device;

(j) **“right to information”** means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to –

- (i) inspection of work, documents, records;
- (ii) taking notes, extracts or certified copies of documents or records;
- (iii) taking certified samples of material;
- (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;

(n) **“third party”** means a person other than the citizen making a request for information and includes a public authority.

**Section-3: Subject to provisions of the RTI Act, All citizens have the right to information.**

#### **Section-4: Obligations/Proactive Disclosure of information by the public authorities:**

1. As mentioned in Section – 4 (1) (b) of the Right to Information Act – 2005, every Public Authority has to self-publish 17 types of information related to their Public Authority.
2. Proactive Disclosure under sub-section-4(1)(b) of the Public Authority shall be given to the citizens free of cost or at a price to be decided or at the cost of printing. This information should be published, so far as possible, in an electronic form in an easily accessible manner on the website of the Public Authority.
3. If the Proactive Disclosure is published on the website of the Public Authority or in any other way, the applicant has to obtain a copy of the information at his own expense.

#### **Section-6: Points to be kept in mind while submitting an application seeking information:**

1. The application has to be sent to the Public Information Officer of the concerned Public Authority as per prescribed specimen RTI Application Form at Annexure I under the Meghalaya Right to Information Rules, 2025 notified vide Notification No.PER.54/2024/101, dated 27.06.2025. Application can also be made on plain paper with the details mentioned in specified form.

Note:- As provided in Memorandum of the Government of India No.10/2/2008-IR dated 12/06/2008, when the requested information pertains to more than one public authority, the applicant shall make separate applications to each public authority to obtain information related to each public authority.

2. The information has to be sought with specific details of required information and clarifying the specific duration of the information required.

Note:- (1) As per the notification of Per & AR(A) Department No.PER.54/2024/101, dated 27.06.2025, the applicant shall apply by providing specific details of the required information as per the provisions of Section 6(1) of the Act. As per the provisions of Section 7(9) of the Act, the request for information should be made in such a manner that does not disproportionately divert the resources of the public authority.

3. The application may be made in English, Khasi or Garo language.
4. The application should be sent in person or through post or electronic means (if online facility is available).
5. The application shall be made with the prescribed fee Rs.10 as per Meghalaya Right to Information Rules, 2025.
  - (1) Any citizen can make an online information request to a public authority in the State of Meghalaya on the State Government's online portal [megrti.gov.in/onlinerti](http://megrti.gov.in/onlinerti). Information about applying (User Manual) and Frequently Asked Questions (FAQs) are provided on the said portal.
6. As per the Notification No.PER.54/2024/101, dated 27.06.2025, individuals falling under below poverty line (BPL) are exempted from application fees, a copy of the BPL certificate issued by the competent authority must be submitted.
7. If it is not possible to make such application in writing for any reason, the assistance of the Public Information Officer can be sought. The Public Information Officer shall provide reasonable assistance in giving it a written form.

Note:- As per the Office Memorandum of the Government of India No.4/9/2008-IR dated 24.06.2008 individuals seeking information under the Right to Information Act should be treated courteously and provided with necessary guidance and assistance.



8. The Public Information Officer shall provide assistance for inspecting records to a person who is sensorily disabled.
9. Except the details required to contact the applicant, the reason for seeking information or any other personal details shall not be demanded.
10. After applying, when the Public Information Officer asks to pay the prescribed copy fee within 30 days from the date of receipt of the application, it shall be paid. After payment of the fee, the Public Information Officer shall be informed.
11. The prescribed fee for providing information is as per section 7 of the Meghalaya Right to Information Rules, 2025.  
Mode of payment of fee is as per Section 8 of the Meghalaya Right To Information Rules, 2025.
12. Information is obtainable free of cost after a period of 30 days from the date of receipt of the application by the Public Information Officer.

### **Matters exempted from disclosure of information:**

#### **Section-8**

1. Information, that would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with a foreign State or lead to incitement of an offense.
2. Information, which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court.
3. Information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature.
4. Information including commercial confidence, trade secrets or intellectual property, the disclosure of which

would harm the competitive position of a third party, unless the larger public interest warrants the disclosure of such information.

5. Information available for a person in his fiduciary relationship, unless the larger public interest warrants the disclosure of such information.
6. Information received in confidence from a foreign Government.
7. Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes.
8. Information which would impede the process of investigation or apprehension or prosecution of offenders.
9. Cabinet papers including records of deliberations of the Council of Ministers, Secretaries, and other officers shall not be provided. However, after the decisions of the Council of Ministers have been taken and the matter has been concluded, the information relating to it shall be provided.
10. Information which relate to personal life of an individual, unless the larger public interest warrants the disclosure of such information.

### **Section-9**

Information, the disclosure of which would cause an infringement of copyright held by any person other than the State.

### **Section-10**

Information of a record, which can reasonably be separated from any part, which is exempted from disclosure shall be provided.

## **Section-24**

Intelligence and security organizations specified by the Central/State Government are exempted from disclosure of information, except for information relating to allegations of corruption and human rights violations.

### **Section-11: Regarding information relating to a third party:**

1. Where the requested information relates to a third party or has been supplied by a third party and that third party has treated it as confidential, the Public Information Officer shall, within 5 (five) days of receipt of the application, obtain the opinion of the third party in writing regarding the disclosure of such information.
2. The third party shall be given 10 days to make a written or oral submission.
3. After receiving the response/opinion from the third party, the Public Information Officer shall consider the larger public interest and after taking a decision regarding providing the information, shall inform the applicant and the third party accordingly.
4. The third party shall have the right to file first appeal and second appeal.

### **Section-18: A complaint can be filed before the Information Commission within 30 days from the day of the cause of complaint arise for the following matters:**

1. If a Public Information Officer has not been appointed by a public authority;
2. If the application for information has been refused;
3. If the requested information has been denied;
4. If the Public Information Officer has not provided information/reply within the 30-day time limit;
5. If an unreasonable fee has been demanded;

6. If incomplete, misleading or false information has been provided.

### **Section-19: About filing of a First Appeal:**

1. If information/reply is not received from the Public Information Officer within the 30-day time limit or if dissatisfied with the received information/reply, a first appeal can be filed with the designated First Appellate Authority within 30 days from the date of receipt of information/reply or within 30 days of the expiry of the time limit.
2. However, if the applicant could not file an appeal within the 30-day limit for sufficient reasons, the appeal may be accepted after the expiry of the 30-day period with appropriate reasons.
3. If it is not possible to be present at a time of hearing when a notice for the hearing of the first appeal is received from the First Appellate Authority, a written submission can be sent to the First Appellate Authority.
4. If the applicant has requested third-party information, and if third-party is dissatisfied with the decision of the Public Information Officer, the third party can also file a first appeal before the First Appellate Authority.

### **About filing of a Second Appeal under Section-19(3) before the Information Commission:**

1. If the First Appellate Authority fails to pass an order or the appellant is not satisfied with the order, a second appeal can be filed before the Information Commission within 90 days from the date on which the decision should be made or was actually received by the appellant.

2. If the second appeal could not be filed within the 90-day time limit, a second appeal should be filed before the Information Commission with appropriate reasons for the delay.
3. In the second appeal, a clear submission should be made on any of the pending/missing information, compensation, and/or action under Section-20 against the Public Information Officer.

**The appeal made to the State Information Commission should contain the following information:-**

- (i) Name and address of the appellant;
- (ii) Name and address of the Public Information Officer to whom the application was addressed;
- (iii) Name and address of the Public Information Officer who gave reply to the application;
- (iv) Name and address of the First Appellate Authority who decided the first appeal;
- (v) Particulars of the application;
- (vi) Particulars of the order including number, if any, against which the appeal is preferred;
- (vii) Brief facts leading to the appeal;
- (viii) Prayer of relief sought;
- (ix) Grounds for prayer or relief;
- (x) Any other information relevant to the appeal;
- (xi) Verification/authentication by the appellant.

**The appeal made to the State Information Commission should be accompanied by the following documents, duly authenticated and verified by the appellant, namely:**

- (i) a copy of the application submitted to the PIO;
- (ii) a copy of the reply received, if any, from the PIO;
- (iii) a copy of the appeal made to the FAA;

- (iv) a copy of the order received, if any, from the FAA;
- (v) Copies of other documents relied upon by the appellant and referred to in his appeal; and
- (vi) an index of the documents referred to in the appeal.

**Section-24: List of Public Authorities Exempted from Providing Information (Under Meghalaya State Government):**

1. Criminal Investigation Department (CID), Meghalaya Police.
2. Economic Offences Wing (EOW), Meghalaya Police.
3. Anti Corruption Branch, Meghalaya Police.
4. Special Force – 10 (Commando Battalion), Meghalaya.
5. Indian Reserve Battalions, Meghalaya.
6. Meghalaya Police Battalions.
7. Crime Branch Police Station, Eastern Range.
8. Crime Branch Police Station, Western Range.
9. Meghalaya Police Radio Organization.
10. Anti-infiltration Directorate/Border.
11. Offices of the Law and Order/DIG Ranges.
12. Confidential Branch of Meghalaya Police Headquarters.
13. Special Branch (SB), Meghalaya/District Special Branch (DSB).
14. Directorate of Forensic Sciences, Meghalaya, Shillong.
15. Anti-Terror Squad, Meghalaya Police, Shillong.

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**Important Web links:**

<http://megsic.gov.in>

<http://megrti.gov.in>

<http://dopt.gov.in>



