

# **UNIT-8**

## **RESPONSIBILITIES OF PUBLIC INFORMATION OFFICER (APIO)**

### **STRUCTURE**

#### **8.1 INTRODUCTION**

#### **8.2 OBJECTIVES**

#### **8.3 SUBJECT:RESPONSIBILITIES OF THE ASSISTANT PUBLIC INFORMATION OFFICER OF A PUBLIC AUTHORITY**

##### 8.3.1 Duty to forward Information Requests to the PIO

###### 8.3.1.1 Forwarding Information Requests

###### 8.3.1.2 For applications received personally

###### 8.3.1.2 For applications received by post or courier

##### 8.3.2 Duty to forward appeals to the AA and the Central Information Commission

###### 8.3.2.1For appeals received in person:

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

#### **8.4 SUMMARY**

#### **8.5 GLOSSARY**

#### **8.6 SAQS**

#### **8.7 REFERENCES**

#### **8.8 SUGGESTED READINGS**

#### **8.9 TERMINAL QUESTIONS AND MODEL QUESTIONS**

#### **8.10ANSWERS**

---

## **8.1 INTRODUCTION**

---

The Right to Information Act (RTI Act) covers all levels of governments— Centre, State, district and nearby self governing our bodies like Panchayats and Municipal our bodies. It also covers non- governmental enterprises – i.e. NGOs, VOs, businesses and different private bodies – which are financed appreciably with public budget provided by way of the government. This means every citizen has the right to put in application requesting facts or copies of records held by these bodies and such data or information should be received through the concerned body.

The citizen's right to information is not explicitly referred under the fundamental rights chapter of the Constitution. But in more than 15cases the Supreme Court of India has declared that thefundamental right to life and liberty [Art. 21] and the fundamental right to freedom of speech and expression [Art. 19(1)] encompass each citizen's fundamental right to get entry to information held by the public body or government. Parliament passed the RTI Act to permit all citizens to use their fundamental right to access information from public bodies.

---

## **8.2 OBJECTIVES:**

---

After reading this Unit you will be able to know:

- Responsibilities of the Assistant Public Information Officer of a Public Authority
- Duty of APIO to forward Information Requests to the PIO
- Duty of APIO to forward appeals to the AA and the Central Information Commission

---

## **8.3 RESPONSIBILITIES OF APIO (ASSISTANT PUBLIC INFORMATION OFFICER)**

---

### **8.3.1 Duty to forward Information Requests to the PIO**

Under the provision the APIOs will act like a one-manner post office. Every APIO has the responsibility and duty to get hold of requests from citizens and forward them to the PIO of the concerned public authority this is possibly to have the information being sought by the applicant. The RTI Act allows the public authority only five extra days over and above the restrict of 30 days to provide information to the applicant if the request is forwarded by the APIO. So it's important to send the application to the PIO without any delay. The citizen has the right to send a complaint to the CIC if the APIO does not accept his application and forward it to the PIO. If confirmed responsible, the APIO can be fined by the CIC from at the very least Rs. 250/- up to a maximum of Rs. 25,000/- for each offence.

**Note-1.** An APIO isn't liable for giving information to the requestor. It is the responsibility of the Public Information Officer to give information to the requestor

**Note-2.** A APIO does now not have the power to ask the requestor why he/she wishes such information. (The RTI Act states clearly that the requestor must no longer be asked to provide reasons for seeking information)

### **8.3.1.1For applications received personally**

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

As far as possible the APIO will receive citizens' applications for Information personally

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

APIO will check whether the application contains the following details and enclosures

- i) Name of the applicant
- ii) Contact details of the applicant including complete postal address, telephone numbers and email address (if any)
- iii) Name of the public authority from whom the information is being requested
- iv) Nature and details of the information requested
- v) Period for which information is being requested (if applicable)
- 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) Whether the applicant wishes to receive the information by post?
- ix) Date on which application is being submitted.

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

If the applicant has not already attached proof of payment of application fees APIO will 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 he will request the applicant to furnish the same.

### **Step 4 : Issuing Acknowledgement**

APIO will Issue a written acknowledgement in for every complete application obtained. The Central Government has now not notified the sort of format yet. This acknowledgement can also consist of details consisting of the name and address of the applicant, the date on which the application was received and the mode of payment of application fee .An acknowledgement must be issued to BPL applicants additionally. In addition to the aforementioned information the acknowledgement issued to a BPL applicant may consist of identity proof that has been attached for claiming fee waiver. APIO will sign and stamp the acknowledgement.

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

APIO will enter the detail of the entire application into the RTI register. All complete applications have to be entered into the register the same day they are received.

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

APIO will dispatch the complete application along with the duplicate of the acknowledgement issued, to the concerned PIO by way of post or courier on the same day of receiving. If for some reason it is not possible to dispatch the application on the same day he will dispatch it on the subsequent working day. The Central Government has not prescribed a format that may be used for the cover letter. It can be develop on such format to be used within the public authority.

This covering letter format could contain information which includes name of the APIO, contact number, Address ,date of receipt of application, registration number, fees collected (if any) and enclosures (if any).

### **8.3.1.2 For applications received by post or courier**

APIO will check whether the application contains the following details and enclosures

- i) Name of the applicant
- ii) Contact details of the applicant including complete postal address, telephone numbers and email address (if any)
- iii) Name of the public authority from whom the information is being requested
- iv) Nature and details of the information requested
- v) Period for which information is being requested (if applicable)
- 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) Whether the applicant wishes to receive the information by post?

- If the application is complete in all respects, APIO will enter the detail of the application in the prescribed RTI Applications register on the same day of receiving.
- After registering the application within the RTI Applications Register acknowledgement should be issued in the prescribed format and dispatch it to the applicant through post/courier on the same day. If for some reason it is not possible to dispatch the receipt on the same day it must be dispatched on the following working day.
- If the application clearly mentions the public authority from which application/records is being asked it should be dispatched to the concerned PIO on the same day of receiving?
- If the application is not addressed to a specific public authority read the nature of information being asked. This will help identifying the general public authority that is most probable to own the facts requested or may be consulted for this reason.) then APIO will dispatch the complete application to the concerned PIO with a covering letter.

**Note:** If the applicant has not attached proof of payment of application fee and has additionally no longer claimed charge waiver it is essential to send a communication via publish/courier to the sender inquiring for him to provide proof of payment of the prescribed fee or go to the workplace to pay the fees in cash. If the application contains a contact telephone number 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 evidence of identity in spite of claiming charge waiver inside the application - it is essential to send a communication by using post/courier to the sender soliciting for him/her to provide evidence of BPL identity. If the application contains

a contact phone number name up the applicant advising him/her to furnish evidence of BPL identity. This action saves effort and time and forestalls wastage of stationery.

- If any of the details are lacking or illegible return the application via post/courier to the sender inquiring for him/her to fill in the lacking or doubtful information. If the application consists of a contact phone number call up the applicant asking for him/her to go to the office to fill in the lacking information.

### **8.3.2 Duty to forward appeals to the AA and the Central Information Commission**

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

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

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

As far as possible please receive citizens' appeals personally. APIO is empowered to receive appeals addressed to the Appellate Authority (AA) and the Central Information Commission (CIC).

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

Check whether the appeal contains the following details and enclosures –

- i) Name of the appellant
- ii) Contact details of the appellant including complete postal address, telephone numbers and email address (if any)
- iii) Authority to which appeal is being sent (whether AA or the CIC)
- iv) Details of the authority against whose decision the appeal is being made (whether CPIO or the AA)
- v) Nature and details of the information requested originally
- vi) Copy of the information request submitted to the PIO/appeal letter sent to the AA (whichever is applicable)
- vii) Rejection letter issued by the PIO against the appellant's information request (if any)
- viii) Copy of the order issued by the AA (if any)
- ix) Date on which appeal is being submitted.

##### **Step 3 : Issuing acknowledgement**

APIO will issue a written acknowledgement in the prescribed format for every complete appeal received. The Central Government has not notified any format for this purpose. APIO may develop a simple acknowledgement format for use within the public authority.

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

APIO will enter details of every complete appeal letter in the RTI Appeals register. He may develop a format for this purpose for use within the public authority.

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

Every complete appeal must be dispatched to the concerned AA or the CIC (as the case may be) on the same day of receiving along with a covering letter in the prescribed format. If for some reason it is not possible to dispatch the appeal on the same day it should be dispatched on the following working day. The covering letter will include details of APIO name, designation and contact address, date of receipt of appeal, registration number and details of enclosures.

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

Follow **Step 2**.

Check whether the appeal contains the following details and enclosures –

- i) Name of the appellant
- ii) Contact details of the appellant including complete postal address, telephone numbers and email address (if any)
- iii) Authority to which appeal is being sent (whether AA or the CIC)
- iv) Details of the authority against whose decision the appeal is being made (whether CPIO or the AA)
- v) Nature and details of the information requested originally
- vi) Copy of the information request submitted to the PIO/appeal letter sent to the AA (whichever is applicable)
- vii) Rejection letter issued by the PIO against the appellant's information request (if any)
- viii) Copy of the order issued by the AA (if any)
- ix) Date on which appeal is being submitted.

If the appellant has not filled in one or more of the above details 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, enter the details of the appeal in the prescribed RTI Appeals register on the same day of receiving .
- 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 unable to dispatch the receipt on the same day ,dispatch it on the following working day.

- If the appeal clearly mentions the public authority to which the appeal is being made dispatch it to the concerned AA on the same day of receiving it. If for some reason unable to dispatch the application on the same day dispatch it on 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 AA that is most likely to decide upon the appeal. (The directory published by the Central Government on the RTI portal- <http://rti.gov.in> may be consulted for this purpose.) then dispatch the complete application to the concerned AA. The appeal should be accompanied with a covering letter in the prescribed format. The Central Government has not notified any format till date. However a simple format can be develop for use within the public authority.

---

#### **8.4 SUMMARY-**

In this unit we learn about assistant public information officer and his role. We learn about the important role of assistant public information officer in forwarding application of request of information to PIO and forwarding appeals, the steps to be followed by APIO in forwarding information requests and Appeals.

---

#### **8.5 GLOSSARY**

- 1. Public Information Officer-** Any Officer designated by the Public Authority to provide information to persons requesting for the information under the Right to Information Act 2005.
- 2. Assistant Public Information Officer -** appoint someone to a specified office or post.

---

#### **8.6 SAQS**

##### **1. Short Answer Questions-**

- What do you mean by Assistant Public Information Officer.
- State the steps of forwarding Application of Information from APIO to PIO

##### **2. Fill in the blanks-**

- The RTI Act allows the public authority only..... extra days over and above the restrict of 30 days to provide information to the applicant if the request is forwarded by the APIO
- The citizen has the right to send a complaint to the..... if the APIO does not accept his application and forward it to the PIO.

##### **3. True and False type questions**

- APIO does now not have the power to ask the requestor why he/she wishes such information.
- The APIO additionally has the responsibility and duty to receive appeals against the decision of PIOs and forward them to the Appellate Authority or the Central Information Commission

---

## **8.7 REFERENCES**

---

- a) [https://en.wikipedia.org/wiki/Right\\_to\\_Information\\_Act,\\_2005](https://en.wikipedia.org/wiki/Right_to_Information_Act,_2005).
- b) The Right to Information Act, 2005.
- c) [www.ingaf.in/INGAF/RTI-ACT/Guideonrti.pdf](http://www.ingaf.in/INGAF/RTI-ACT/Guideonrti.pdf)

---

## **8.8 SUGGESTED READINGS**

---

- 1. Right to Information Act, 2005
- 2. Guide on Right to Information Act, 2005 (Government of India Ministry of Personal, Public Grievances & Pensions Department of Personnel & Training) <http://www.rtifoundationofindia.com/guide/Guideonrti.pdf>
- 3. Dr. Neelam Kant, 2014, published by Orient Publishing Company
- 4. Right to Information Law in India by N.V. Paranjape
- 5. Right to Information Act, 2005 by Jitesh Dhanrajani

---

## **8.9 TERMINAL QUESTIONS AND MODEL QUESTIONS**

---

- a) What is the procedure adopted by the Assistant Public Information Officer after receiving the application for information?
- b) What is the procedure followed by APIO before forwarding the Appeals.

---

## **8.10 ANSWERS**

---

### **SAQS**

- 1.(a) Refer 8.3.1 (b) 8.3.1.1, 8.3.1.2
- 2.(a) 8.3.1 (b) 8.3.1
- 3.(a) True, (b) True

### Terminal Questions and Answers

- (a) Refer 8.3.1 (b) 8.3.2