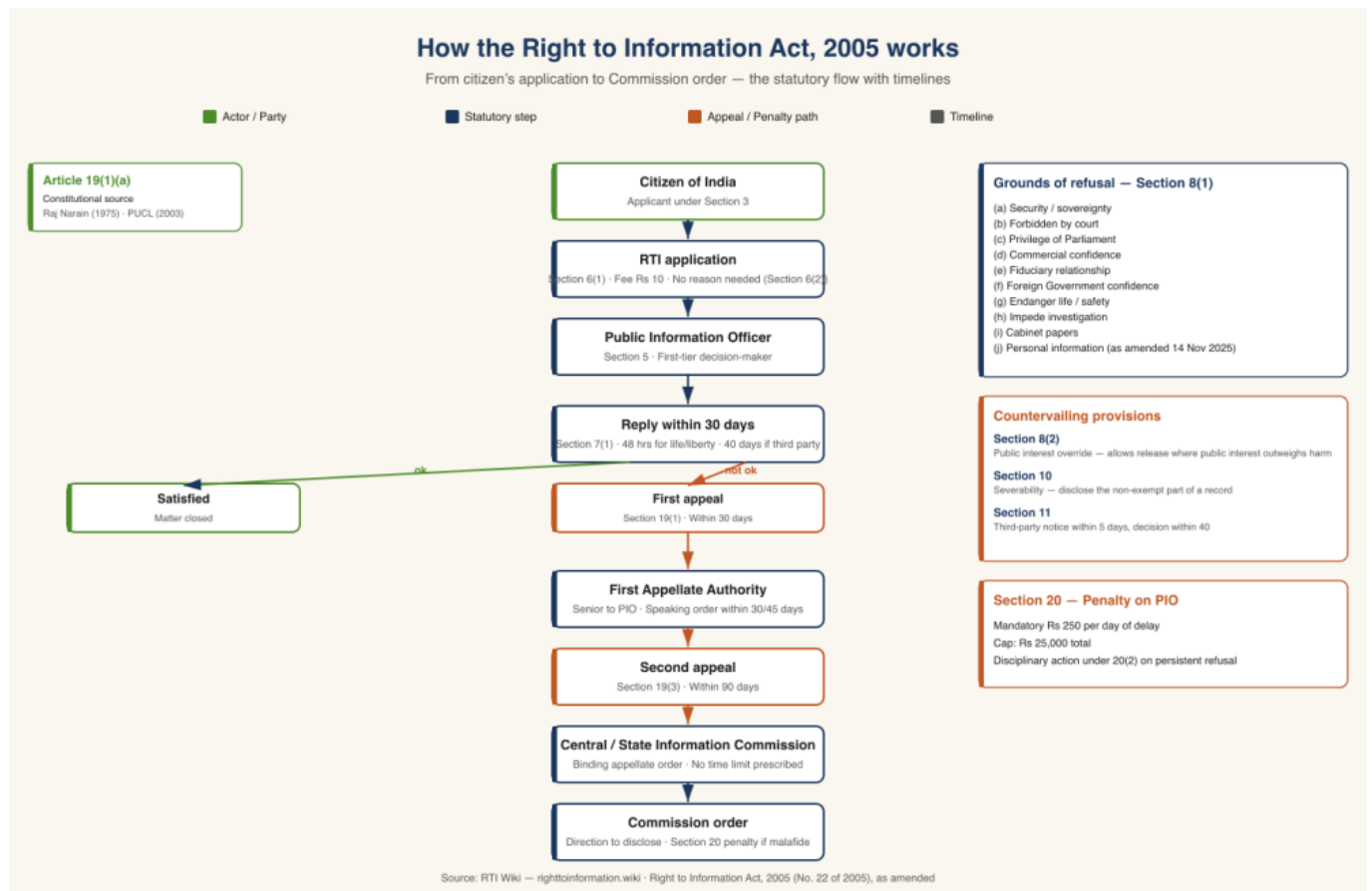


The Right to Information Act, 2005 — summary, sections, and notes

If your RTI was rejected. See Why RTI Applications Get Rejected in India — and How to Avoid It. Five reasons, the exact fix for each, and two case studies.

New to RTI? Start with the three most-used guides on this site:

- How to File RTI Online in India — 2026 Step-by-Step Guide.
- Why RTI Applications Get Rejected — and How to Avoid It.
- FAQ — twenty-five most-asked RTI questions.



Notice on DPDP Rules, 2025. The Digital Personal Data Protection Rules, 2025 were notified on 14 November 2025. With this notification, Section 44(3) of the Digital Personal Data Protection Act, 2023 became operational and amended Section 8(1)(j) of the Right to Information Act, 2005. The earlier public interest override within clause (j) stands removed. Public interest reasoning now operates through Section 8(2) of the RTI Act, which has not been amended. This page has been reviewed in the light of this change. For the full practitioner note, see DPDP Rules, 2025: The amendment to Section 8(1)(j) of the RTI Act.

A single-page reference summary of the Right to Information Act, 2005 as amended by the Right to Information (Amendment) Act, 2019 and by Section 44(3) of the Digital Personal Data Protection Act, 2023 in force from 14 November 2025. Covers the purpose of the Act, the chapter and section structure, the procedural flow from application to appeal, the exemptions, the Commissions, and the penalties. Each substantive point carries an inline cross-reference to the full section text or to the concept explainer on this site.

In one line. The Right to Information Act, 2005 gives every citizen of India a statutory right to seek information from a public authority. The application goes to the Public Information Officer, who must reply within thirty days. The reader has a right to a first appeal within thirty days, and a right to a second appeal to the Central Information Commission (for Central Government matters) or the State Information Commission (for State matters) within ninety days. A Public Information Officer who refuses without reasonable cause is liable to a penalty of two hundred and fifty rupees per day up to twenty-five thousand rupees. For the full text section by section, see the RTI Act, 2005 — current text.

Why the Act was enacted

The Right to Information Act, 2005 (No. 22 of 2005) codifies a right that the Supreme Court had already recognised under Article 19(1)(a) of the Constitution. In *State of U.P. v. Raj Narain*, (1975) 4 SCC 428, the Court held that the right to know about the affairs of the Government is implicit in the freedom of speech and expression. In *S.P. Gupta v. Union of India*, 1981 Supp SCC 87, and in *People's Union for Civil Liberties v. Union of India*, (2003) 4 SCC 399, the Court extended the principle. The Act gave legislative form to the constitutional direction.

The long title records the purpose. The Act is to “provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority”. It came into force on **12 October 2005**.

Structure of the Act

The Act has **31 sections** across **six chapters**, together with a **First Schedule** containing the oath of office. The chapter scheme is set out below.

Chapter	Sections	Subject
I	1, 2	Preliminary — short title and definitions
II	3 to 11	Right to information and obligations of public authorities
III	12 to 14	Central Information Commission
IV	15 to 17	State Information Commission
V	18 to 20	Powers and functions, appeal and penalty
VI	21 to 31	Miscellaneous

For the full text of each chapter, see [the current text of the Act with amendment overlays](#).

Key terms

- **“Information”** under Section 2(f) means any material in any form, including records, documents, memos, opinions, advices, press releases, circulars, orders, log books, contracts, reports, papers, samples, models, and data held in any electronic form. The Supreme Court in *Central Board of Secondary Education v. Aditya Bandopadhyay*, (2011) 8 SCC 497, held that an evaluated examination answer sheet is information within the meaning of this clause. See also [Information — concept note](#).
- **“Public authority”** under Section 2(h) means any body formed by the Constitution, a law of Parliament or a State Legislature, or a notification of the appropriate Government; or owned, controlled, or substantially financed by the appropriate Government. The test was set out by the Supreme Court in *Thalappalam Service Coop. Bank Ltd. v. State of Kerala*, (2013) 16 SCC 82. See also [Public authority — concept note](#).
- **“Right to information”** under Section 2(j) includes the right to inspect works, documents, records; take notes, extracts, or certified copies; and take certified samples of material.
- **“Public Information Officer”** under Section 5 is the officer designated by the public authority to receive, decide, and reply to Right to Information applications.
- **“Third party”** under Section 2(n) is any person, other than the applicant and the public authority, whose interest is affected by the disclosure. See also [Third party — concept note](#).

How an RTI matter flows

The procedure from application to appeal runs in four stages.

Stage 1. The application (Section 6)

A citizen of India sends a written request, with a fee of ten rupees (at the Central Government level), to the Public Information Officer of the concerned public authority. The applicant need not give a reason for the request. Section 6(2) expressly bars the Public Information Officer from asking why the information is needed. Where the application is wrongly addressed, Section 6(3) requires the Public Information Officer to transfer it to the right public authority within **five days**. See [Guide for applicants](#).

Stage 2. The reply (Section 7)

The Public Information Officer must decide the application within **thirty days** of receipt under Section 7(1). Where the information concerns life or liberty, the period is **forty-eight hours**. Where a Section 11 third-party procedure is engaged, the period is **forty days**. A non-reply within the statutory period is a “deemed refusal” and allows the applicant to file a first appeal. See [PIO reply after the DPDP Rules, 2025](#) for the current practice.

Stage 3. First appeal (Section 19(1))

An applicant aggrieved by the Public Information Officer's decision or by the deemed refusal may file a first appeal within **thirty days** to the First Appellate Authority, who is the officer senior in rank to the Public Information Officer within the same public authority. The First Appellate Authority must decide within **thirty days**, extendable to **forty-five** with reasons recorded. Section 19(5) requires a speaking order. See [Guide for First Appellate Authorities and Template: FAA speaking order](#).

Stage 4. Second appeal (Section 19(3))

An applicant aggrieved by the First Appellate Authority's order may file a second appeal within **ninety days** to the Central Information Commission (for Central Government matters) or to the relevant State Information Commission (for State matters) under [Section 19\(3\)](#). The Commission's order is binding. See [Template: second appeal](#).

Section 20 penalty

Where the Commission finds that the Public Information Officer has without reasonable cause refused the application, not furnished the information within the statutory period, malafidely denied, knowingly given incorrect or misleading information, destroyed the information, or obstructed the furnishing, a **mandatory penalty** of two hundred and fifty rupees per day, up to **twenty-five thousand rupees**, is imposed on the Public Information Officer under [Section 20\(1\)](#). [Section 20\(2\)](#) provides for disciplinary action where the refusal has been persistent.

The exemptions — Section 8, Section 9, Section 24

[Section 8\(1\)](#) lists ten clauses on which disclosure may be refused.

Clause	Ground	Leading authority
(a)	Sovereignty, integrity, security, strategic, scientific, economic interests of India	Context-specific; see Grounds for rejection
(b)	Expressly forbidden by a court or tribunal	Narrow
©	Breach of privilege of Parliament or a State Legislature	Narrow
(d)	Commercial confidence, trade secrets, intellectual property	Delhi HC on PhD theses (December 2024)
(e)	Held in a fiduciary relationship	<i>RBI v. Jayantilal Mistry</i> , (2016) 3 SCC 525; <i>ICAI v. Shaunak H. Satya</i> , (2011) 8 SCC 781
(f)	Received in confidence from a foreign Government	Narrow
(g)	Endanger life or physical safety of a person	<i>Bihar PSC v. Saiyed Hussain Abbas Rizwi</i> , (2012) 13 SCC 61
(h)	Impede investigation, apprehension, or prosecution	<i>Bhagat Singh v. CIC</i> , Delhi HC, 3 December 2007
(i)	Cabinet papers, deliberations of the Council of Ministers, Secretaries, and other officers	Narrow; deliberations released after decision is taken
(j)	Personal information (as amended on 14 November 2025)	<i>Girish Ramchandra Deshpande v. CIC</i> , (2013) 1 SCC 212; see below

[Section 8\(2\)](#) provides a **public interest override**: even where a clause of [Section 8\(1\)](#) applies, the public authority may allow access where the public interest in disclosure outweighs the harm to the protected interests. After the 14 November 2025 amendment to clause (j), the [Section 8\(2\)](#) override is the sole route for a public interest release on personal-information matters.

[Section 9](#) allows refusal where the disclosure would involve an infringement of copyright

subsisting in a person other than the State.

Section 24 exempts the intelligence and security organisations listed in the Second Schedule, save for information on allegations of corruption and human rights violations.

Section 10 requires the Public Information Officer to **sever** and release the non-exempt portion of a record where part is exempt and part is not. See [Severability — concept note](#).

Section 11 sets out the **third-party procedure**: notice to the third party within five days, representation within ten days, decision within forty days. See [Third party — concept note](#) and [Template: third-party notice](#).

Section 4 — the positive obligations

Section 4(1)(b) requires every public authority to publish **seventeen categories** of information on its own, without waiting for an application. The categories include:

1. Particulars of the organisation, its functions and duties;
2. Powers and duties of officers and employees;
3. Procedure followed in the decision-making process;
4. Norms set by the public authority for discharge of functions;
5. Rules, regulations, instructions, manuals, and records;
6. Statement of the categories of documents held;
7. Particulars of arrangements for consultation with the public;
8. Statement of boards, councils, committees;
9. Directory of officers and employees;
10. Monthly remuneration of each officer and employee;
11. Budget allocation of each agency;
12. Manner of execution of subsidy programmes;
13. Particulars of recipients of concessions, permits, authorisations;
14. Details of information available in electronic form;
15. Particulars of facilities available for obtaining information;
16. Names, designations, and other particulars of Public Information Officers;
17. Such other information as may be prescribed.

The Supreme Court in *Anjali Bhardwaj v. Union of India*, (2019) 10 SCC 1, directed timely appointments to the Information Commissions to ensure the Section 4 obligations are enforceable. See also [Suo motu disclosure — concept note](#).

The Information Commissions

Central Information Commission

Section 12 constitutes the **Central Information Commission** with a Chief Information Commissioner and up to ten Information Commissioners. Appointments are made by the President on the recommendation of a Committee comprising the Prime Minister (Chairperson), the Leader of the Opposition in the Lok Sabha, and a Union Cabinet Minister nominated by the Prime Minister.

The term of office and the salaries are prescribed by the Central Government under the [Right to](#)

Information (Term of Office, Salaries, Allowances and Other Terms and Conditions of Service) Rules, 2019 — the fixed five-year term under the original Section 13 was amended by the Right to Information (Amendment) Act, 2019. See *A decade of change, 2015-2025* for the detail.

State Information Commission

Section 15 provides for a State Information Commission on similar lines, constituted by the Governor on the recommendation of a Committee comprising the Chief Minister, the Leader of the Opposition, and a State Cabinet Minister nominated by the Chief Minister. Section 16 on term and salaries was amended in 2019 in the same pattern as Section 13.

Powers of the Commission

Section 18 gives the Commission the power to inquire into a **complaint** on its own initiative or on a complaint by a person. Section 19 provides for the **appellate** jurisdiction. The Commission's order is binding on the public authority.

The Supreme Court in *Chief Information Commissioner v. State of Manipur*, (2011) 15 SCC 1, clarified the difference between the Section 18 complaint jurisdiction and the Section 19 appellate jurisdiction.

Amendment history

The Act has been amended twice.

- **The Right to Information (Amendment) Act, 2019** (No. 24 of 2019), in force **24 October 2019**. Amended Section 13, Section 16, and Section 27. The fixed term of five years or until the age of sixty-five years for Information Commissioners was replaced by a term prescribed by the Central Government. The linkage of salaries to those of the Chief Election Commissioner and the Election Commissioner was removed. The Central Government was empowered to prescribe the terms under Section 27.
- **The Digital Personal Data Protection Act, 2023** (No. 22 of 2023), in force **14 November 2025** on notification of the Digital Personal Data Protection Rules, 2025. Section 8(1)(j) of the Right to Information Act was substituted by Section 44(3) of the DPDP Act. The public interest override within clause (j) was removed. The override now operates through Section 8(2). See *DPDP Rules, 2025: The amendment to Section 8(1)(j) of the RTI Act and PIO reply after the DPDP Rules, 2025*.

The constitutional anchor

The Act's interpretation continues to rest on Article 19(1)(a) of the Constitution. The Supreme Court in *K. S. Puttaswamy v. Union of India*, (2017) 10 SCC 1, established the right to privacy as a fundamental right. The four-limb proportionality test in *Puttaswamy* now governs every decision by the Public Information Officer on personal information matters after the 14 November 2025 amendment. *Association for Democratic Reforms v. Union of India*, (2024) 5 SCC 1, reaffirmed the Article 19(1)(a) line from *Raj Narain* and *PUCL*.

What the Act does not cover

- **Non-citizens.** The right under Section 3 is conferred on citizens of India only.

- **Non-public authorities.** Private companies, trusts, and NGOs that do not meet the Section 2(h) test are outside the Act.
- **Information not in the form of a record.** The Act does not oblige a public authority to **create** a new record or to answer a question of opinion. See *CBSE v. Aditya Bandopadhyay*, (2011) 8 SCC 497.
- **Information exempted by the Second Schedule.** Section 24 exempts the intelligence and security organisations listed in the Second Schedule, subject to the corruption and human-rights-violation carve-out.

Cross-references on this site

- **Full text of the Act.** The Right to Information Act, 2005 — current text with amendment overlays at every section.
- **Step-by-step guide for applicants.** Guide for applicants.
- **Drafting templates.** Templates — first application, first appeal, second appeal, PIO reply (three formats), third-party notice, FAA speaking order.
- **Sample applications.** Sample RTI applications — 33 drafts for common subjects.
- **Plain-language walkthrough by section.** Decoded.
- **Concept-wise notes.** Explanations.
- **Case law library.** Case law library.
- **Recent changes to the Act.** A decade of change, 2015 to 2025 and Subjects filed, satisfied, appealed.
- **Live tracker of CIC composition and pendency.** Live tracker.

New to RTI? File your first application in ten minutes. See [How to File RTI Online in India — 2026 Step-by-Step Guide](#) with a ready-to-use English and Hindi template, the Rs 10 online fee flow, and the appeal path.

Sources

1. The Right to Information Act, 2005 (No. 22 of 2005).
2. The Right to Information (Amendment) Act, 2019 (No. 24 of 2019).
3. The Right to Information (Term of Office, Salaries, Allowances and Other Terms and Conditions of Service of Chief Information Commissioner, Information Commissioners and the Chief Information Commissioner and Information Commissioners in State Information Commission) Rules, 2019.
4. The Digital Personal Data Protection Act, 2023 (No. 22 of 2023), Section 44(3).
5. The Digital Personal Data Protection Rules, 2025, notified on 14 November 2025.
6. *State of U.P. v. Raj Narain*, (1975) 4 SCC 428.
7. *S.P. Gupta v. Union of India*, 1981 Supp SCC 87.
8. *People's Union for Civil Liberties v. Union of India*, (2003) 4 SCC 399.
9. *Central Board of Secondary Education v. Aditya Bandopadhyay*, (2011) 8 SCC 497.
10. *Institute of Chartered Accountants of India v. Shaunak H. Satya*, (2011) 8 SCC 781.
11. *Chief Information Commissioner v. State of Manipur*, (2011) 15 SCC 1.
12. *Bihar Public Service Commission v. Saiyed Hussain Abbas Rizwi*, (2012) 13 SCC 61.

13. Girish Ramchandra Deshpande v. Central Information Commissioner, (2013) 1 SCC 212.
14. Thalappalam Service Coop. Bank Ltd. v. State of Kerala, (2013) 16 SCC 82.
15. Reserve Bank of India v. Jayantilal Mistry, (2016) 3 SCC 525.
16. K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1.
17. Anjali Bhardwaj v. Union of India, (2019) 10 SCC 1.
18. Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agarwal, (2020) 5 SCC 481.
19. Association for Democratic Reforms v. Union of India, (2024) 5 SCC 1.
20. Bhagat Singh v. Chief Information Commissioner, Delhi High Court, 3 December 2007.
21. Second Administrative Reforms Commission, *Right to Information — Master Key to Good Governance*, First Report, June 2006.

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rti, act-2005, summary, sections, notes, procedure, exemptions, commission, amendment-2019, dpdp-2025, reference



Right to Information Wiki

The working reference for India's Right to Information Act, 2005.



Read online

<https://www.righttoinformation.wiki/act/summary>

Main website

<https://www.righttoinformation.wiki/>

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